In this booke

is contayned the office of Shiriffes, Bayliffes of libertyes, Escheatours, Constables, and Coroners, and sheweth what euery one of them may do by vertue of theyr offices drawē out of bookes of the common lawe and of the Statutes.

Anno domini.

1562.

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What ye office of a shiriffe is, hereafter shall more plainely appere but in a generally of his office is rightwously and duely to retourne all writtes and preceptes to hym directed, and truely to execute the same according as he shalbe commaunded in ye same writtes and preceptes And that he take nothinge of any person for doyng his office, but the due and accustomed fees to hym belonging. And that he duely holde and keepe his counties courtes and tournes, accordyng to the due course of the law. Wppon these ther poistes dependeth the hole charge & effects of his office.

The office of the Shiriffe is to retourne good sufficiente and reasonable issues and vppon such personas haue sufficient goodes or landes accordyng to the statute of Marlbri.

Capitulo xxxi. and Edwardi iii. Capitulo quinto.

The shyryffe ought too take the indyrementes founde before hym in his courte by indenture, and so shall Bailiffes of fraunchyses, one parte wher of shall remayne with the indi tours, secundo Edwardi tercii Capitulo xvii.

¶ The Shyryffe maye arrest men ridynge or gouinge armed, and cõmit them to prison, ther to remaine at the kinges pleasur. ii. Edwardi iii. Capitulo v. at Northampton.

Shyrriffes and vnder shyrriffs shal receiue writtes in euery place within the county without takynge ought and shal make a byll wherin if they refuse, other that be present shall put to theyr seales, and yf they retourne not the same wyrttes, they shalbe punished and shal rendre damags to the partye. ii. E. iii. Capi. v. at northamp.

Shi-

¶ Shyrriffes and Gaylours shall re-
ceyue theues, indyted or taken with
the maner without takyng any thyng
for the receyt. iiii. Edward iii. Cap. x.
¶ Shyrryffes shall leale the in hun-
dredes and Wapentakes after the
olde ferme & not above as. iii. Ed iii.
Cap. rvb. as. Edward. iii. ca. viii.
Shyrryffes ought to arest persons
suspecte of felony going by night or
by day wheych be of euyll fame. xiii.
Edward iii. Cap. xiiii.

The shyrryffes in one countie shall
haue no mo Baliffes errant but on
xiii. Edwardi. iii. Cap. iv.

Shyrriffes ought to kepe theyr
tournes euery yere within a moneth
after Easter and within a moneth af-
ter Wighelmas. xiii. Edwardi tertii
Capit. xiiii.

Shyrriffes that leue illues fines
and amerciamentes in the countye
ought to haue the exceates enseled

 wyth

boith the seale of the office of the shyriffe so that
as much as is payed may be tolled,
And if any shyriffe or minyster do the
contrary he shall render to the party
treble damages, and shall make fine
to the kinge, and the like thereof shall
be aldone afore Justices of the peace
as before other Justicers. xliii. Item
Capitulo nono,
¶ The Shyriffes shall arrayne the
panelles of Assyse foure dayes before
the sessyons at the least vppon peyn
of xl. li. And Shyriffes of Iybertyes
shal make retourne to the Shyriffes
vi dayes before the Sessions vppon
the same peyne. xliii. Edward tertii.
Capitulo xi.
¶ The Shyriffe ought to examine lof
terers and vagarauntes and compell
theym to find suretye of theyr good
behauyour by sufficient mayntpris of
such as be disreputable if any defame
be found in suche vagaraunt men, and

yf

if they can not find such sheerty theim to cõmaunde theim to the next gaole yer to remayne vntil the cõming of the Iusticers of gayle delyuerye, they to do with such vagarantes as they shal thinke best. vii. Richarde secundi, capitulo. vii.

¶ The shyriffe shal be bound foure times in the yeare to make proclamacion of the stature of winchester in euery hundred of his Baylewike.

¶ The shyriffe ought to take swerdes daggers, and hangers from seruauntes labourers, and seruauntes of crafres menne and vitraillers that weare the onles it be in time of warr or when they labourre in the cõtrey with their maisters or vpon their dwellinges. And the shyriffe shall kepe the same weapons which they shall present vnto the Iusticers of the peace at their Sessions with ȳ names of them that bere them. xii. R. ii. capi. vi.

¶ Shyryffes ought to receiue labou
rers seruauntes, beggers, and baga
boundes, and them deteine in prison
without Bayle or Maynepries, and
without fee or takyng any thing at
theyr entre or goyng out of prison vp
pon payn to forfait. C. li. to the kyng
Anno. xi. Richardi ii. Capit. ix.

¶ Shiryffes and other ministers of
the kinge so soone as they shall haue
knowledg of assembles and ryottes,
with outragiousnoumbre of people
ought with the power of the shire to
go and make resistence against such
malyce, with al their strength, & shal
attache such misdoers & kepe them
in prison vntyll the due punishment
of the law be executed vppon theym
And al maner of Lordes, and other
the kynges true lyege men ought to
be allysted with all theyr power and
strenthe to ayde the Shiryffes and
other ministers therin. xvii. Richardi

secundi

secundi.cap.viii.

¶ Shiriffes ought to be personallye dwellinge in their Baylewekes, for the time.and they shal not let theym to ferme.An.iiii.hen.iiii.cap.vi.

¶ Shiriffes ought to se and prouyd that neyther their vndershiriffes,bayliffes,Clerkes nor Receyuours shall be attourneys in the kynges courtes for the tyme of theyr office. 1.2.iiii. henrici.b cap.quarto.

Shyriffesought to let to mainpris persons indited of herelye and lollardes which are in their keping wythin tenne dayes vnder good suertie so that they apper before the end of the sayd.x.dayes.an.ii.hen.v.cap.vii

Shyriffes shal cause the statute of puruetours to be proclaimed four times in the yere,vppon payne, C.li. for euery time that he faileth to do. And vppon like payne, shall deliuer the same to his successoure to be proclaimed

claymed, primo Henrici tertii capitulo secundo.

¶ Shyriffs must make due electio of knightes of the parliament, vt. H. vi. capitulo quarto.

¶ Shiriffes, must recount fuch perfons knightes of the parliament why the be cholen by þ greter nombre of the freholders dwelling in þ countye which may expend. xl, sperely aboue all charges. And that thole knights be dwelling within the fame countye And that he examie euery freholder at fuche elections vpon a boke how much he may expende. And if any fhiriffe returne other knightes he fhall for fayt a. C. li. to the kinge and fhall haue one yeres imprifonment wyth out bayle or mayprife.

¶ Shiriffes vpon a precept made vnto the by Iuftices of þ peace to inquire of forcible entre fhall retourn vpo euery of the tirouns or fynes in the

fyrft

ffull day, And Justicers of the peace
shall here & determine such defaults
of shyriffes by byll at the suite of the
partie or by indictment & they shal leuy
xx.li. for euery default, & he y will sue
shal haue y one halfe. viii. li. vi. s. viii. d.

To auoyde robberies & spoyles
vpon the riuer of Seuerne & by the
costes of forestes, of Deane and the
hundredes of Blodestom, and Wes
burye in the countye of glocester the
Shyriffes of glocester or the Bay-
liffes of the towne of glocester after
notification made to any of them of
suche iniuries and damages, by the
parties greued within foure dayes,
after such notification made, shall
make proclamacion to the towne of
glocester, that such offendours with
in xv dayes after suche proclamacyo
un shal restore vnto the parties dam
maged their goodes so taken, or the
value with a reasonable amendes.

The

The said Shyriffes Bayliffes to forfait .x.li. if they fayle so to do ir hen. vi. Capi. xviii.

¶ The shyriffe of herforde neyther in his tourne nor in any other place after the tourne ended, shall take any inquire or enquest of offices whyche ought not to be taken ther. Neyther shal he take any fine or amerciamen for thinges not appertayning to his office or tourne vpon paine to forfait x.li. Anno .xx. hen. vi. Capi. vii.

¶ Shyriffes ought to retourne in ar tainter in pleas of lãd, men of the yerly value of .xl.s. or in an action for dedes concerning landes of suche value, and in actions of the some of xl. li. and more, those persons dwelling within their Baliewike, in which may expend .xx.li. yerely aboue al charges for terme of life, at the lest out of demeasne. Gaueleynder .vi.d. portes, and at the first dislresse .xl.s. at

seconde. C.s. and the double value of euery other distresse agaynst the Jurours, vpon pain of x.li. to the king and almuch to the partie. And if they be not sufficient persons dwellinge within the countie which may expẽde. x.li. yerely then shall they impanell other persons of the moste sufficiens possession of yearely value of landes and tenementes within the value of xx.li. vppon peyne to forfayte. xl. to ỳ king & the parti almuch in the forme afore saide. xv. h. vi. Capi.

The Shyriffe or vnder shyriffe of Yerforde must arrest such persons of Wales or the marches therof which bee oute lawed of treason or felonye whome the said Shyriffe knoweth or seyth to be in any place within the sayd countye, and to bringe theim to the Gayle. And if any suche persone beyng indyted do dysobey or flye awaye, the sayd Shyrffe shall leuey

hue

hue & cry and pursue him vpon peyn
to make fine and ransom to the king
ann. henri. vi. capitulo. i.

¶ The Shiriffe shal not occupy his
office aboue on yere & if he so do this
to forfaite xx. li. and euery pardon for
such offences shalbe voyde any words
put in such letters patentes not
withstanding. Also he that prethech
to occupie the same office aboue one
yere by force of such letters patentes
shalbe disable to be shyriffe in any o
ther shyre afterward. 23. H. vi. ca viii

¶ No shyriffe shal lette to ferme his
countie nor any of his Baillewekes
hundredes or Wapentakes.

¶ No shiriffe, Bayleliffes of fraun-
chise, ne other officer shal retourn in
any panel any of his Bayliffes offy-
cers or their seruauntes.

¶ no shiriffe nor any other to anye
vse shal take ought of any person to
be arrested, or attached nor to suc-

cesse

ceſſe of any arreſt or attachement to be made by the bodye. Nor ſhal take ought of anie perſon arreſted or attached forfyne fee fute of priſon mayntenyng letteyng to bayle or for ſhewyng any fauour or eaſe to any perſone beynge so arreſted excepte it be as hereafolowyth, ꝑ is to wyt to the ſhirriffe xx.d. to the Bayliffe that made ꝑ arreſt. iiii.d. and to the gailoure if ꝑ priſoner be committed towarde. iiii.d.

¶ The ſhyrriffe hymſelfe nor anye to hys vſe ſhall not take any thynge for the makynge of any retourne or panell but for the coppye of the panell iiii.d. howbeit they vſe to take. ii.s. for the retourn of a Panel, but that ſemeth to be extorcion.

¶ Shiriffes ought to let out of priſonne al priſouners beynge in theyr warde by force of any writte Byl or warraunte in anye actyon perſonall or indytements of treſpace vppon a

reasonable surete beyng sufficient in the countr to kepe their dayes in the places as the sayde bylles wrytes or warrantes require, except such as be condempned outlawed or excommunicate or for surete of the peace or by the commaundement of any Justicer and vagabondes whych refuse to serue.

Also Shyriffes ought not to take any obligacions for any thing aboue mencioned, or by colour of their office but onely to theym selfes nor of anye persone being in their ward but by the name of their office as by ỹ name of Shyriffes in the obligacion, upon condicion ỹ the parties shall appere at the daies conteyned in the writts in such places as the billes wrytes, or warrantes require. And if any obligacion be taken of any perſō by colour of their office in any other forme it shalbe voyde.

Shy-

Shyryffes shall not take for any obligacion warrant or precept by them to be made any more then xii.d.

Shyryffes must take their deputies perely in the kings courtes, that is to wyt, in the chauncery the bench and the Eschequer of record, before the prelourne any wait.

Shyryffes that do contrary to this ordinaunce in any point shall lese to the party grieued treble damages, & shal forfayte xl.li. for euery time that they shal so offende: the one halfe to the king, & other to him that will sue therfor. Henrici. iii. Capitulo. [illegible]

Shyryffes Lawfull writtes be directed vnto them to retorne the expences of knyghtes of the parliament must made proclamation at the next Sessyons after the deliuerance of the same writes, that the coroners Constables & baylyffes of hundredes shalbe there to

ames their wages vpon paine of this af
what time they shall assesse euery hun
dred for a certaine charge vp̄ it selfe, &
all the they shall assesse euery village
w̄in the same hundred at a certayne
time vp̄ it selfe, And if they be other
wise assessed, for euery defaute they
shal forfait xl li. The one halfe vnto
the kinge and the other to the party that will sue.
And the shyryffe shall leuye the same
duely, and shall paye it to the knyghtes
of the parliament vpon paine of xl li.
And the party that will sue shall haue
his action by Scire facias, and shall
haue xl li. aboue the xl li. with treble
damages. xxiii. Item it is ordeyned Capitu-
lo [illegible]
[illegible] the shyryffe after the delyuerye of
leuye writte to make election for the
knyghtes of the parliament must make
a indifferente precepte vnder hys
seale to euery hundred Bayliffe
of Cytyes and Boroughes, wythin
the

the countie, commaundyng theym to
electe Citezins, & Burgesses to come
vnto the parliamente. And the sayde
Mayre, and Baylliffe shall trulye re-
turne the same precept to the shyrryffe
by Indenture betweene them for electi
on and names of theym that are so
chosen, And the shyrryffe is bounde to
make a good and true retourne of e-
very such writ, and of euery retourn
made to him by the Mayre and Bal-
liffes. And for euerye time that the
shyrryffe shall do contrarye to thys or
any other statute made for the electi
on of shyrryffes to come vnto the par-
liament he shal encurre ye peine of one
C li. to the kyng, and a yeare imprys-
sonment without baile. And more o-
uer shal pay vnto the person soe be-
ynge chosen knight, Citizen, or Burg-
ges and not dueiye returned, or
to anye other persone, whych in de-
faute of suche knyghte, Burgesse

or citizen wyll sue therfore, one hundred pounde to be recouered by accion of dett.

And the shyryffe ought to make such elections in the full countye betweene the houres of viii. and ix. before noone, and to make a good and true returne of such elections upon payne to forfaite an C.li. to the kyng and a like to the partye that wyll sue therefore agaynste the shyryffes, their executors, or admynysters. xvi. Henrici vi. Capitulo xiv.

The shyryffes in theyr turnes ought to inquire, heare & determine, if any mynister, of the wardon of the courte in the marches of Scotlande, or if any other arrest any persone by hys body, or attache him or by his goodes out of the countyes of Northumberland, Cumberland & west merland & the townes of Newcastle to answere in any of the said courtes or els by co-

loure

some or cause of any processe in plaid
courte: for in such answere it shalbe
lawful for euery man to imparlyance
And the partye grieued shall haue ac-
cion of false enprysonment or tres-
pas and shal recouer treble damages
therfore, and the defendaunt shal haue
two yeares imprysonment, and the
shyryffe shall haue power to poste de
theruppon as well as vpon a proces
ment made in his courte. Capitulo Secundo.

Item whereas many men by dissimulacy-
on and other meanes fayne themselues
to be seased of women vniuersal-
ly, as Wyues or Wydowes ha-
uyng great possessions and substance
of goods, & get such women into their
possession, & conuey the into such pla-
ces, from whence they will not suffre
them to goe at their liberty, except
they wyl make to them obligations
of greate summes to bee payde vnto

them or ayther them to be bounden in
estatute Warrounte or some tyme
warrit counsell them so to be marped at
theyr pleasure which if they refuse to
leuye vpon them the summes contay-
ned in the same obligations and sta-
tute as is ordeyned that the partye
greued shal haue a writte out of the
Chauncery comprising the hole mat-
ter of them vnreasonable in treating
directed to the shyryffe comaunding
him to make proclamacyon at y next
countye after the receyte of the writ
that the offendour shall appeare at a
certayne daye and place prefixed in
the writte before the Chauncellour
or the Justicers of assise of the shyre
when such offences shal happe to be
done or before some other person as-
signed by the Chauncellour And
the shyryffe to whom suche a writte
shall be directed, and shall execute the
same according to the tenour thereof

vpon

vpon payne of .C.li. the one halfe
to the kyng the other to hym that wil
sue therefore by writ of dette, wherin
no wager of law protection nor essoyn
(to cause the matter so be tryed in a
nother countrie then where the writ
is brought) shal be allowed, xxii. hen.
rici. iiii. capitulo iiii.

Vpon euery indictement or present
ment taken before shyrryffes or their
mynysters, in their tournes or lawe
dais as they shal deliuer the same in
dictmentes and presentments to the
Justices of the peace at their nexte
Sessions vpon payne of .xl.li. And
the Justices of the peace shal award
processe vpon the same, as well, where
they had be taken before themselues,
and shal arrayne those that be so in
dyted of felonye, and shal sette fynes
vpon suche as be indyted of trespas,
the entreaters of which fynes shal be
inrolled by indenture, and deliuered

vnto the same shyrifes or ministers.
And if any shyrifes or theyr mi-
nysters arreste or attache any person
by colour of any such inditement or
presentment in theyr courtes or law-
dayes or els take any fyne or amerci-
ament therefore they haue processe vn-
to the Justicers of the peace, & afore
estreates out of the Justices shalbe deliuered, they shall forsuper-
cedi the entrie wherof shalbe to the
party suynge therefore by whych dec-
larac̃on he may wage his law not pro-
tection shalbe allowed. Item vide di-
quarti. Capitulo tricesimo

Of suppon an inspeximus made to
Justycers of peace, or to other Justy-
cers ageinst any person for retaining
or gyuing of liuerey, or ageinst as
mych as is retayned or taken by liuerey
the Justycers shall make processe
thereupon as vpon a recouerye of
dette or trespas. And if the shyrife in

in

any sute graunted therupon agaynst any person being sufficient to retourne any suche issues, then xx.s. at the first day of the distresse and at the second, day xx.s. and at the thyrd day. xl.s. And so at euery day after, more by x. shan issues for euery retourne he shal forfayte xx.s. viii.d. Edwardi iiii. Capitulo. ii.

The olde shyryffe shall haue power to retourne writtes, and to execute hys office duryng the terme of fayre Myghel and Hyllarye after the yeare of hys sayd office expyred, vnlesse he be lawfully discharged therof before. vi. Edwardi iiii. Capi. ci.

No shyryffe, nor other officer shal seale or take the goods of any person being arested or imprisoned for felonye vntill the same person be duelye conuict or attaynted the same felony by course of the common lawe or except the same goodes be otherwyse lawfully

lawfully sworne, upon payne to forfeyte the double value of the goodes so taken to the partye greued saying therefore by action of dette, wherein no wager of lawe, essoyne, nor protection shalbe allowed. 1. iij. iij. Capitule

No baylyffe nor other officer in any panel within any county of this realme shall retourne anye person to be put in or upon any inquyrye in the tournes of shyrryffes, but such as be of good name and fame, having fre holde to the yearely value of xx. s. or copyhold to the yeately value of xxvj s. viij d. at the least, aboue all charges vpon payne to leese for euery person not being sufficyent, at euerye tyme that they shal so doe offence xx s. and the shyrryffe other xl s. wherefore the saue moytye shalbe to the partye suyng therefore by actyon of dette in wch sute no protectyon, nor essoyne shalbe allowed. But wager of lawe

lawe is not expressed. And for ꝑ cause it behoueth to make ꝑ information therof in the Eschequer. ¶ Richart di iii Cap. iiii.

Shyrykes or other haulyng the custodye of Gayles shal certifye the names of euerye prysoner beyng in theyr custody and to them cõmitted for felonie, vnto the Justices at the next generall Gayle delyuerye to be kalendred vpon paine to forfayte for euerye tyme that they shall make default in so doynge. ¶ Henrycus vii. Capitulo iii.

Also the shyryffe nor no other person in hys name or by his commandmẽt shal enter no pleynts into theyr bokes in no mans name, onles the plaintife be there in his proper person or els by sufficient attorney or deputye, that is knowen of good name, and the plaintife shal fynde pledges, persons that be knowen in that county to pursue his

his pleintye & the pleintyffe shal haue
but one plaint for one trespas, or one
contract. And if the shyryffe or any o-
ther his officers cause to be entred a-
ny mo plaints then the pleintiffe sup
poseth that he hath cause of accion a-
gayns the defendaunte, then the shy-
ryffe or his clerke that doth the cause to
be entred any such playnts contrary
to this act shall forfayte for euery de-
faute .xl. s. the one halfe to hym that
poursiue and pleue the matter by ac-
cyon of det or in forfaycture.

Also the shyryffe shal make sufficy-
ent precepites after such pleintes en-
tred against the defendaunt directed
to the bayliffe of the hundreth to at-
tache or warne the defendaunte to
appeare and aunswere to the sayde
playntes, and if ther be anye defaute
in the sayde bayliffe of the hundreth
in warninge, or executinge of theyr
offices they to forfayte .xl. s. and to

be

bercouyct thereof by examynacion of the Justyceys of the peace or anye of them,

The same shyryffes nor theyr deputies shall make noone estreates to leuy the shyre amerciaments tyl that ii. Justicers of the peace wherof one to be of the Quorum haue the sight of their bokes and the estractes to be endured betwixte the Justicers of peace and the shyriffe and vnder shyryfe sealed with their seales, the one part to remaine with the said Justicers, and the other part with the shyryffe.

And those persons that shalbe gatherers of the sayde amerciamentes shalbe swoorne by the sayde Justicers that they take no more mony then is forfait & conceiued in the estreats sealed with the seales of the Justicers to the same vpon the same peine of forfaytoure, as is aboue rehearsed, the same

same gatherers to be convict by exa-
minacion of the same Justycers, or
one of them. And the same Justices
of peace shalbe appointed at the Ses-
sions holden at Wyghelmas by him
that by the eldest of the Quorum to
haue the controlment of the said shi-
ryffes, vnder shyryffes, shyre clarkes
and other of the sayd officers, and of
the said shyryffes amerciamentes.
And the said Justicers of peace vpō
suggestion shal make proces agaynst
the shyryffe, vnder shyriffe, shyre clar-
kes or other officers to appere before
them to answere to suche suggestion
or informacyon as is vsed in accyon
of trespas. Anno secundo. Henrici. vi.
Capitulo iiii.

Also euery shyryffe shal cause to be
taken al vacabondes ydle people and
suspect persons and set theym in the
stockes, ther to remaine at the firste
takynge

tarying by a daye and a night, and at the seconde time to be in the stocks, by the dayes and the nightes with bread and water. And if any shyriffe execute not these premisses of every vagabund, heremite, or begger able to labour, or clearks, pylgrims, or shypmen, as oft as any suche commeth in sight, or ȳ he hath ther of daye knowledge within the towne or place wher he hath authoritie, that as oft as any such misdoer abyden ther about the space of one daye and on night and departe vnpunished and vnpunished, for euerye misdoer so departed the Shyriffes to lose thre s. iiii d. and ȳ Shyriffes in his tourne hath auctorite to inquire of all the defautes of Maires, Bayliffes, high Constables, petie cōstables & al other gouernors and of other gouernours, & officers of Cities, Townes, and Villages, with-

wythin their tourne and to haue .iii.
s.iiii.d. for euery defaut found in his
tourne. An. xvii. Henrici. viii. Capitu-
lo. xii.

Also euer whyrryfe vpon a precepte
dyrected vnto hym by the Justyces
of peace to returne a panel to inquy-
re of any ryottes or vnlawefull assem-
ble cõmitted shal returne xviii. per-
sons dwellinge in the shyre euery of
them hauing xx.s. of freehold or xl.s.
.s. viii.d. of copihold or of both ouer al
charges, and to returne in illnes e-
uery parsou xx.s. at the fyrst day, and
at the second daye .xl. s. and if the de-
faute be in the shyrryfe for the retour-
nynge of persons not beinge of that
sufficiẽcy or for nouoe returning of
illnes in tourne before said he to for-
fayte xx.li. An. rbi. H. viii. Cap. rb.

Also if anye ryotte or assemble of
people be made in anye parte of this
realme agaynst the lawe, the Justy-
cers

ders of peace, or two of the yt of the least, and the Shyppe or vndershippe may come with the power of ye countie (if nede be) to arreste and bringe them before the same Justyces of the peace. And the Shyppe or vndershippe haue power to sende that that they shall fynde in their presence done contrarye to the lawe, and the offendoure shalbe conuycte by suche recorde. And if they bee denyed before the commynge of the sayd Justyces, Shyppe, or vnder shyppe, the nexte that the same Justyces or two of them within one monethe after such tyme enquier diligently when ye assemble was made. And if the truthe cannot be founde, then the same Justyces, or two of them and the shyppe or vndershyppe as bove sayde, within a monethe nexte folowynge, shal certifye before the king & his counsaile the whole dede

withaby circumstances thereof wherin
certificat shalbe as strong to put the
parties to answeare thereupon, as
inditement found by twelue men.
xiii. Henrici quarti Capitulo [illegible]
And if the sayde ryotours, bate
assemble be not founde (by
any embracerye or mayntenaunce of
the sayd Jury) then the sayde Justi-
ces of peace and the Shyryffe or
and shalbe such certificat that all they
maye be according to the said sta-
tute made. Anno. viii. Henrici quarti
shal in the same certificat certifie the
names of the sayde maintenours &
embracours in that behalfe (if any
be) with theyr myssemeanours that
they shall, vpon payne of euery of
the sayde Justyces, and shyryffe or
vnder shyryffes xx. li. if they haue no
reasonable excuse for noone certyfy-
yng of the same, whyche certyficat so
made, shalbe an inditemente in the
lawe

lafoe. And euerye perſon duelye mo-
ued to be maintaynour or enbraſour
ſhall forfaite x.li. and to bee commit-
ted to warde, there to remaine by diſ-
cretion of the Juſtycers. An. xix. hen-
rici ſeptimi. Capitulo xiii.

Also no Shiriffe vppon writtes
and precepties directed by him dare
tourne before Eſcheatours or Com-
miſſioners, any perſon to inquire of
any lands or tenemẽtes except eue-
ry of the ſame Jury haue lands and
tenemẽtes of the yerely value of xl.s.
aboue all charges in the ſame ſhire
vpon paine of forfaiture for euery per-
ſon ſo returned c.s. vnder ſhillings.
Anno. iii. Henrici, viii. Cap. ii.

Also all panelles putte in by the
ſhiriffe before any Juſticer of gayle
deliuer, or before Juſticers of peace
(whereof one to bee the Quorum)
in their open ſeſſions to enquire
for the kynge, ſhalbe returned by

putynge to and takynge oute of the
name to inpanelled by discretion of
the same Justicers, and that ye same
Justyces or Justycer shall comaund
euerye shyryffe & their myniſters in
their absences to put other persons
in the same panell by their discretion
and the same panel to retourned by
the Justicers to be good. And if any
shyryffe do not retourne the same pa
nell to retourned then euery shyryffe
so offendyng for euerye such offence
shal forfayte .xx.li. halfe to ye kyng
will sue by accion of dett, byll or com-
playnt wher suche shall fall of be, and
no wager of law, essoine, nor protec-
tion shalbe alloweb.

Also vpon euery exigente where
wryttes of proclamacio are to be a-
warded the same wrytte of procla-
macion to haue the same dayes of re-
tourne that the exigente hath and to
be deliuered of record and the Shy-

ryffe to make proclamacion thre seue
rall dayes in his plaine countie, wher-
on of the proclamacõs to bee made
at the generall Sessions in those par
ties where the partie is supposed to
be dwellinge, that he yelde him selfe
to the Shyrryffe of the foren shyre, &
the Shyrryffe maye haue the body at
the day of the exigent retournable to
answere to the playnte, and that the
shyrryffe of the sayd countie that hath
such writtes of proclamacion duelye
execute ye same and thereof make due
retourne at the day appointed in the
same writte, vpon payne to forfaite
such amerciamente, as by the Justi-
cers shalbe assessed.

Shyrryffes, Bayliffes, Constables
and al other hede officers, and euery
of them fynding or knowynge anye
person vsyng or exercisyng anye vn-
laweful games contrarye to the sta-
tute, haue full power to cõmit euerye

such offendour to ward, there to re-
maine wythoute bayle or mayprise
for suche tyme as they so offendynge
be bound by obligacion to the kynges
use in suche summes of moneye as
by discrecion of the sayd Shyrysses,
or other officers: shalbe thought rea-
sonable that they from hence forthe
shall not vse any vnlawfull games,
Anno. xxxto. H. viii. Chapi. ii.

¶ If anye impotent persone begge
within any other place then within
suche limittes as he shalbe assigned,
the shyrysses and all other the kynges
officers shall by theyr discrecion pu-
nishe suche persones by imprisonmēt
in the stockes, by the space of .iii. dayes
and two nyghtes, gyuing the bread
and water only, and after that cause
them to be sworne to returne again
to the place wher they be lycensed to
begge. Anno .xxii. henrici octaui.
Capitulo duodecimo.

The Justicers of peace vpon in-
formacion or prefetmēt made against
any Towne shyp for none executing
of this acte, shall make proces by di-
stres against the inhabitantes of the
towne, and therby the shyppe shall
distreyne the goodes of on or two of
the inhabitaunces of the towne as he
may know formerliget in the towne
and retayne the distres tyll he shall
sworne to appeare at the sessions be-
fore the Justicers.

And vpon the retourne of the shy-
ppe of the distres, if the persone ap-
peere not, then euerye such person so
lose.vi.d, at the first distres, and at ỹ
second distres.vi.s. viii.d. vppon his
defaut, and so to be double at euerye
distres tyll apparaunce be had.

Shyppes that haue custodie of
Gayle shal make seales to be grauen
with the name of the Castell that he
kepeth, for to gyue and seale writtes

to pryſoners acquyted for begging for
their fees within the hundreth where
he is delyuered by the whiche next af-
ter hys delyuerie and the to go to the
hundreth where he laſte dwelled by
iij. yeare or where he was borne. The
Shyriffe ſhal not ſuffer any ſuch pri-
ſoner to begge for his fees nor to de-
parte but to do ſeruice and labour,
tyll that he delyuered him ſuch letter
and the Clerke of the peace to make
the briefe wythin one daye after the
ſeſſions vpon payne of twelue pens
to the kynge. Anno viij. Henrici viij.

Capitulo .cij.

For diſtroyeng of Crowes, Rokes
and Choughes it is ordeyned that e-
uery perſon hauyng any maners lan-
des and tenements in theyr manu-
raunce, ſhal do as muche as in hym is
reaſonable to kyl and deſtroy ſame
crowes, Choughes and Rokes be-
dynge or abydyng vpon his landes

or tenemẽtes, bycause peins of gret sums
amercamẽt to be set. And that offẽce
be within the limitts of leetes, lapes
or court barons then to be set by the
ferward with two of the pẽsẽtours
by the Steward, and pẽsentours to
be named by the pesẽtmẽt founde
and presented and to be reasonablye
assessed after ꝑ quãtite of the offẽce
And the amerciament to be to ꝑ lord
of the lawdaye. And if any person bee
lorde of suche manours, or inhabite
there (whereunto any suche lawdaye
or lape is belonging) then vppon a
presentmente had before the shyryffe
in hys tourne with two of the pe-
sẽtours to be chosẽ by the pesẽtours
shall ceasse the sayd amerciamente by
theyr discrecion to the vse of the kinge
and be leuied by distresse. An. xxiiii.
Henrici. viii. Capitulo. x.

And the shyryffes in theyr tourns
shall geue in charge to the tenantes

and

and in the demaundes aforesayde before
the auditours they shall make enquyre, as
put in execution the effecte of this
acte. And the Shyrffes shal holde their courtes
from moneth to moneth. And where
greater tyme is wonted to be, greater
shalbe. Magna Carta. Capitulo xxiij.
The kynge commaundethe that
shyrffes and their officers whyche
receiue his dett shal acquyte hymselfe
the dettours at the next accompts af
ter that they haue receiued the dette
and then it shalbe allowed at the Eſ
cheker, so that it shal not come in the
somons after. And if the Shyrffe
do otherwyse & be attaynted thereof
he shal rendre the fynes so much as
he hath receyued, and shal make fyne
at the kynges wyll. And if another
do it, for whose bande he is aunſwe
rable at the Eſcheker, he shall rendre
the treeble thereof to the plentyfe

and

and shall make fyne in the same: and the shyryffe shall make tayles to all them that have payd him the kyngs dettes. De ministeꝛ primo. Capitulo nono.

Concerninge shyryffes and other whych have leuyed the kings dette, and make tayles oꝛ other acquitāce to the dettour and discharge him not. It is agreed that whā the shyriffe is impleded therefoꝛe in ỹ Exchekeꝛ by the dettour, if he come not at the dystres then shal an other distres be awarded retournable at a certain day whereun shalbe commaunded that proclamacion be made in the ful cotie, that the defendāt shal come in by a certayn day to acquite the dettour of the summe, foꝛ which he made him the acquitance oꝛ tayle, at whyche if he came not in, & the wryt be retourned & the proclamacion certifyed, dee

shalbe

shalbe holden convicte, and the dette shalbe leuied of hym in lyke manner as dette requered, against hym in ỳ kynges courte, and damages shalbe awarded to the plaintife, accordyng to the discrecion of the Barons. xiii. Edwardi. ii. in the statute of Artein tes the last Chapter.

The kinge commaundeth that all Shyryffes, & Bayliffes whych haue receyued his dettes, of ỳ Iomons of ỳ Escheker, whych acquite not ỳ detours hys̄ the nexte accompte, shalbe punished accordynge to the statutes made Westreselles of the Escheker. Capitulo quinto.

It is ordeyned that execution of writtes which come to the Shyryfe be made by the hundreders knowen and sworne, and in the full countie, & not by others, if it bee not for greate scarsyte of hundredars. For thenne it shalbe done by other persons conue

nyent

ment and Iudgment. & the statute of Lincolne the last Chapter.

Sheriffes shall not be charged to the levying of any issues nor shall levye any before they come oute of the Exchequer by the extreates ther to bee levyed. And if percase any Sheriffe returne issues vpon any recognitor pledgor mainpernor, by him affeered & returned into our Courte, wherby to the payment of the same issues or amerciamentes at the time of the returne was inducted: the same Sheriffe shalbe charged therwith at the Exchequer, and shal make ratles to al persons of al maner of thinges by him receyued, and shal not returne any where the names of mainpernors, Iurours, or other except it be according to the tenour of the writtes to them directed, nor shal returne the names of pledges of fre mē any wher oueles they haue manifestly tofeited

them

them selues pledges. The statute of Fynes. Capitulo secundo.

No shyryffe, coroner or other the kynges ministers shall take no reward for doyng his office, and if he do he shal paye the double, and shall be punished at the kynges will. but shal be payd of that which they take of the kyng. Westminster. Cap. xxvi.

Shyryffe shall not suffer any barretoure or mayntenyng of matters moyst in his bailey, neyther stewards of great lordes or other which be not attournes to their lordes to do their diytes, nor to let or put the iudgementes of the courtes not to pronounce them except he be therto required of al the suitours and attourneys that shalbe ther at y same iourney. And if he do the contrary, y king shal take it grenously of the Shyryffe and the offendour. Westminster primo Capitulo xvi.

It

It shalbe lawfull for euery shyppe
Justyce of peace and Escheatour to
seaze to the kynges vse of such goods
and catels that such persons as com
within this realme ꝑ be ralied Egip-
tians haue, & therof to make accompt
to the kynges in his Escheker, and to
retayne and kepe ꝑ moyte therof to
his owne vse, and accompte for the
residue, and to pay no fees for the ac-
compte nor for his discharge therof
In the statute it appeareth what
thing the shyppe ought to do by rea
son of his office, & that he ought not
to take any thing for doyng his office
but only that which is appointed
to him by ꝑ same estatute. And if he
doo take any thing otherwyse, it is
extorcion which ought to be enquir-
ed vpon by Justyces of the peace, &
the shyppe shalbe punished therefore
And if any shirife do anye extorcio
to the people, and be duely attainted

therof

thereof hee shalbe streightlye punished
therefore at the pleasure of the kinge.
Anno primo Hen. viii. Capitulo
The shyppes mate, and are bounde
to enquyre of comen annoyances done
to al maner of the kynges subiectes,
but not of assaultes made upon anye
priuat person, for that is but a parte
cular offence, by Martin. iiii. Hen. vi.
The shyppe must kepe hys tides
within a moneth after Easter, and
within a moneth after the feaste of S.
Michael. And if he kepe it at any time
after the moneth of the sayd feastes,
it is voide by the statute of An. xxi.
Edw. iii. Capitulo. xiii. And all indyte-
mentes, and presentements there ta-
ken after the same time be voyde.
Bloodshed shalbe enquyred of, in
the shyppes tourne, bycause it is an
article that is to be inquyred of in a
leete. All leetes be determed and take
out of the shyppes tournes, in so
much

muche that for defaute of inquerie of
letes of thinges unquerable ther, the
same thinges ther omitted, ought to
be inquired of in ȳ turnes of ther shy-
ffes. 4 Edward. iiij.

And all the Justices sayde that
the Shyryffe in his tourne hath auc-
toritie, to inquire of all thinges that
be trespas or felony vi the comō law
(except ȳ death of a man) but of tres-
pas or felony made by statute ȳ shy-
riffe in his tourne hath no power to
inquire. 9 Edward. iiij.

And if the shyryffe in hys tourne
inquire of instances, that shuld be in-
quired of in the Lete of an other, &
the same be founde, yet maye he not
distraine for the amerciamēt of such
apzesentmēt. For yf he do he is tres-
passoure. But yf ther wer a defaute
in the lord of the Lete in ȳ he wolde
not inquire or fynd the same, whan
he ought to haue inquired therof in

this cause it seemeth that ỳ shyrffe in his courne maye inquire of it in default of the lorde .Ma. rrbiii. Edw. iii.

¶ And if one haue a faire or market by graunt or prescripcyon, and he pe[r]mit hys fayre or market as he ought the shyrffe ought not to inquire there of in his courne .rii. Henrici. vi.

¶ Upon a presentment of Nuisance in the shyrffes courne, the party shal be amerced there by ỳ shyrffe, whi[c]he may distrain for the amerciament And if no pleasure be presented ther the shirffe may abate the same, and present it .Ma. rrvi. Edwardi. iii.

¶ Also it appeareth by the booke of Britton, that vnto the turne of ỳ shirffe ought to com al the freholders of the hundred, and other lande te[n]auntes (Clarkes, men of religion, & women onely except) where at the shyrffe shal cause .rii. of ỳ most sage and sufficiet persons of the hundred

to be

to be swoone. And then shall all the reisdue be sworne by dosyns & by y. townes whych shal make their presentment to the fyrst. vii. Jurrours vpō the articles wher with thei shal be charged. And it semeth that the shyryffe ought to hold his retourne in euery hundred within the countye.

¶ What thynges be inquirable in the Shyryffes tourne.

Furste they shal enquire yf ther be anye misdoer in the hundred of whome any stādeth in doubt of life or lim, and what is hys name.

Also they shall inquyre of al mortall enemyes, to the kyng the quene theyr chyldren, or counseiloures, of counterfaytyng the kynges seale or his mony, of manklears, and murderars, of burners of others corne or houses felloniously, of Bugloures, of robbers, of theeues, of outlawes,

of thoſe that haue abiured ꝑ realme and cõmme againe, of ſoꝛceꝛers and witches, of myſtreantes and heretikes, of traytoures & of ꝓyſoners, of cutters of purſes, of vſurers, of bytipplers byeng and ſelling wyttynge ꝓ ſolne fleſhe of them that wittingly make whyte the ſkinns of beaſtes ſolne, of ꝛebubboured that wittingly by ſtolne clothes, and dreſſe them fit ſ an other faction, of treaſour hyd in the grounde, hues & tries wꝛonge fully oꝛ tyghtfully leuied & not purſued, oꝛ water ſtopped, ſtrayghtened oꝛ tourned, of bounde ſ pulled bppe oꝛ wꝛongfully chaunged, of walles, houſes, gates, marlepittes, bytch es, & other diſturbances and oꝛ leuyed bpõ any common way to the ãnoiſaunce, of petie bybboures that ſhere ſheps to haue the woulle, of ſuche as take thekboke, & of thoſe that haue made a ꝓyſone of theyꝛ owne houſe

oꝛ houſe

or houshold, of pounde breache, of
trespassours in parkes & ponds, of
takers of other menues Doues of ye
assyse of bread and ale broken, of the
that bye and sell by measure against
the assyse, of chaunce medleys, of cõ-
te courts, of bloudshed, of watches
vnkept, of the seynges hyghe ways
not enlarged, of thos that haue kept
appeachours in any other prison thẽ
the kings or any other felon aboue a
day & a night, of new libertes custo-
mes, or iurisdiccios vsurped sins the
last tourne on water or on lande. of
weyres, of wrecks of the sea fouide
and kept away, of brydges and caul
seis broken, & who ought to repaire
them, and of those that clayme fran-
chyses, or iudgementes realles, and
of all those of the age of xii yers gon
out of the hundred, with be not come
into the tourne (excepte Clerkes,
knyghtes theyr chyldren and wiues

which be not in dolins) of vacabondes
by the countrey which ar of no mas
tenue, of whom there is anye euell
suspection of lewde demeanour.
And when the iurours haue geuen
theyr verdice to the fyrst Iurours,
then immediatly shall the fyrste Iu-
rours go and giue vp theyr presentt-
met, such as they will abide by. And
the presentment of felonies they shal
shewe plainly and the other openly,
Button. lib. 1. folio. xxxviii.

Nowe must ye inquire further if
baylyffes of libertyes and fraunchi-
ses haue duely done their office whi
che resteth in fyue poyntes, which is
that they truely execute his precepts
which be directed vnto theim accor-
ding to the tenours of the same, and
that they make due answere and re-
tourne to the shyryffe of the same
preceptes, and that he take nothyng
for doynge his office, but onelye the
fees

fees to hym due, & apoynted by the
counte of y lawe, and what fees they
shal take, & what thinges they ought
to do by reason of hys office shal ap-
peare more playnly here folowyng.

¶ The office of Baylyffes
of liberties.

VPon a precept made by y Sher-
ryffe to a Baylyffe of a liber-
tie
vppon a writt of distres direc-
ted to the shyreffe to distrein the De-
fendant in the same writte, or the
Iurrours in any inquest, y baylyffe
must retourne good and sufficient
issues, vpon the defendant; or vpon
the Iurrours yf they haue sufficient
goodes or landes within hys Bayli-
wyke, and yf he do not the playn-
tife in the accyon shall haue an a-
uerment that he myght haue retour-
ned greater issues if the defendant
make defaut, or that sum only by
the statute of .x. Edwarde iij. Capi-

[illegible] Justicers of the peace
[illegible] if the Baylifes haue
[illegible] office in that point.
Also they must enquire if baylyf-
fes of liberties whyche be keepers of
any Gayle, reduce any of they pry-
sonners to be appellours to thentēt
[illegible] of the parties appeled
for dutie of imprisonment. 1. Edwar
tertii. Capitulo. viii.

Baylifes of liberties which take
inditementes in they courtes, or o-
ther wyse, ought to take them by in
dentur, whereof the one partie shall
remayne with the inditours, & the
other with the baylyffe. ii. Edwardi
iii. Capitulo. xiiii.

None shalbe made Baylyffe of li-
bertie, except he haue sufficiēt lande
in the place where he is minister, to
make answere to the king and his
people. ii. Edwardi iii. Cap. ix.

Baylyffes of liberties whyche be

Gaylours and haue the kepynge of
prisons ought to receiue & safely kep
all theues deliuered to them by the
Constables of the townes being in
dited, taken with ỳ maner, or appea
led of felonie without taking ought
iiii. Edwardi. z. Cap. c.

Baylyffes of liberties muste re
ceyue such persons as be arrested in
theyr fraunchise by the Constables,
for suspicion of felonye, that walke
in the cõtrey by nyght, or be of euyl
name, and shall kepe them in prysone
vntyl the cõmyng of the Justices of
Gayle deliuere, & in the meane tyme
the Baylyffes must inquire of them
v. Edwardi. z. Capitulo xiiii.

Baylyffes of liberties Constables
and other officers of townes where
loyterers and vacaboundes resorte
haue power to examine thẽ dilygent
ly, and compell them to fynd suertye
by, sufficient mayneprenours beyng

dystreynable of theyr good behauioure, And if any default be founde in the same loyterers and vacabunds & can not fynde suretie, they shalbe set to the next Gayle ther to remayne vntil the coming of the Justicers of Gayle deliuerie which may do with them as they shall thynke best by the course of the lawe. vii. Richardi secundi. Capitulo. v.

No seruaunte or labourer at the end of his terme shal depart out of ỹ hundred or Rape wher he is dwellig, to dwell any other where onles he bryng a letter patent conteyning the cause of his goyng, vnder the kyngs seale therto assigned. And if any seruaunt labourer be founde vagerant without suche letter, he shalbe taken forthwd by the shyrryffes Mayrs bayliffes or other officers & put in stockes vntill he fynd suertie of retourn to the town to serue from whẽce he

came

came, vntyll he haue such a lettre to departe for cause reasonable. xii. Richardi. ii. Capitulo. iii.

Bayliffes, of liberties haue power to arrest seruauntes & labourers that weare daggers, swerdes & knyues & the to seale & kepe vntill the sessions of the peace, & the weapons to present to the Justicers there with the names of them y beare the, & the weapons shalbe forfayte, excepte they be trauelyng in the countre with theyr maisters, or in theyr landes or busynes. xii. Richardi. Capitulo. v.

Shyreffes and bayliffes of liberties in theyr liberties, are bounden to receiue seruauntes & labourers beggyng and vagarant, and them to detayne in prison vnto bayle, without takyng of any fee or other thyng of the at their entre or departig by the selues or by their deputies vpō paine of C.s. to the kynge. xii. Ri. ii. Ca. iii.

Bay

of Wayllyffes of liberties to whom the kepyng of the assyse of bread and ale & the correction of the same belongeth, shall take no amerciament nor fyne for no defaut touchyng the said assise for which the offendour ought by the law to haue corporall penāce but they shall adiudge thē to ỹ same penance. And Wayllyffes of liberties and all other that haue ỹ keping and ouerlyght of vitailles shal put in due execucyon the statute made in the xxiii. yeare of Edwarde the thyrde, whyche begynneth. Quia maior pars populi. &c. xxii. E. iii. Capitulo. viii.

Bouchers, Fyshers, Hostelers. Bestwars, Bakers, Pulters, and all other sellers of vytayles ar bounden to sell such maner of vitailles at a reasonable pryce, hauyng regard to the pryce wher at such vitayles are sold at other places nere, so that they maye haue a competente gayne and

not excedinge according as by the distaunce of the places (from whēs the vitailles ar caryed) they shal thynke reasonable to be inquired, & yf anye sell vitailles in any other maner & ther of be cōuict, he shal pai the double of that he hath receiued to the partye endōaged, or in his defaut to ani other that will sue therfore. And Maires & Baylyffs of townes &c. haue power to inquire of al such as offend against this ordynaunce in any point and in case that the same Mayres, and baylyffs be negligent in doing execucion of the premisses, and therupon be cōuicted by the Justicers assigned by vs, they shalbe cōpelled by the same Justycers to restore the treble value of the thyng solde to the partye greued, or to any other p̄ in his defaute wyl sue, and neuertheles shalbe greuously punished against vs. xpiii. Edwardi. iiii. Capitulo.

No Stewarde, bailyffe, nor other myny-sters of lordes of fraunchises within whiche haue retourne of writtes shal be attourney to any person in anye matter within the same fraūchise or bayliwyke wher he is officer or any maner of tyme. 4. Hērici. 4. Cap. xii.

If any heinous ryotte, be made? Justyces of the peace & the shyryffe & vndershyryffe ought to do theyr office accordyng to ỳ estatute made xviii. Hen. 4. And yf they do not at ỳ sute of the party greued a commissiō shall go forth to inquire therof, and of the defaute of the Justyces and the shiryffe and ỳ Coroner shal serue the processe, and he muste retourne persones that haue land to the yerly value of x.li. and shall retourne also xx.s. in yssues at the fyrste daye, and xl.s. at the seconde daye, and at that thyrde daye, C.s. and so double it euerye daye after. And yf defaut be in

be in the Coroner in returnynge ỳ iſ-
ſues, or of perſones of ſuche lande he
ſhal leſe.xl.li. And yf the olde ſhiriffe
be diſcharged, the new ſhyryffe ſhall
ſerue the proceſſe, and not the Coro-
ner, vpon peyne of.xl.li if the defaut
be founde in hym touchynge the
tourne of other perſõs by him enpa-
nelled which haue not landes to the
yerly value of.x.li. or to returne ſuch
yſſues as the Coroners be charged
with. And Baylyffes of liberties ar
bounde for to impanel ſufficient per-
ſons, as aboue is ſayd vpon peine to
leſe.xl.li. in caſe ỳ ſuch perſons maye
be founde wythin hys baly wyke, ii.
Henrici.iiii. Capitulo.viii.

Bailyffes of fraunchyes ought to
make theyr retournes, & aunſwer
vnto the Shyryffe vpõ hys precepte
made vnto thẽ in a ſpecyall wyze of
aſſyſe.vi. days before that day of the
ſeſſyons vppon peyne to forfayt.xl.li.

for

for euery tyme that they shall do the contrarye. vi.li. Bourcher fett. Capitulo secundo.

Where a precepte is made to the shyryffe by Justicers of the peace to returne a panel to inquire of forcyble entrie, & he sendeth hys precepte to the Bailliffe of ỳ liberty to return the panel bicause the riotte was don within the libertie, now is the bailliffe bounden to make due returne and execucyon of the preceptes to hi directed vpon peyne of.xx.li. for euery defaute. And the estatute wyll that the Shyryffe shall returne.xx. s. in illues vpon euery Jurrour at ỳ fyrste day, and that euery Jurroure which shall passe in the inquire, shall spende.xl.s. yerely, whereby it semeth that Bailliffes of liberties ar bounden to do like wise, if so many of the said Jurroures be w̄in his liberti for els he is not. viii. H. vi. capitulo. ii.

Bayllyffes

¶ Baylyffes of lybertyes in attaynt-
tes vpon plee of land of the yerely va-
lue of .x.s. or more, nor in attaynt-
tes for dedes concerninge landes of the
value, nor in attaynttes vpon perso-
nal actions wherin ꝑ recouery extend
eth vnto .x.li. or more shall not re-
tourne or impanel our perſons in such
inquestes, but those that be dwelling
within his bailliwyke, and that haue
estate to their owne vse in landes or
tenementes for terme of life to the ye-
rely value of twenty pounde or more,
within his bayliwike out of auncy-
ent demesne and the fyue pointes and
at the first day of the distresse retour-
ned shall retourne no lesse yssues in
such actions of attaynt than .x.s. &
at the second distresse .C.s. And the
double of every other distresse vpon
the persons so impanelled & retour-
ned. And yf he do the contrarye he
shal pay .x.li. to the king and allwaye ꝙ

to the party in whose fauour such Capitle
is graunted.

¶ Bayliffes and other the Kinges
officers muste arrest those louddoures
that come from the se / & there do not
attache vntil such time as they haue
their Capitles / that they haue licensed them
And they shall kepe them vntil they
haue inquired whether / they haue
warrant or not / & if they haue no such
licence / then shall they be punished
as is aforesaid. Then. vi. Capitulo xii

¶ No Bayliffe of a liberte / vpon
any precept to him directed to returne
the panel of any enquest / shall in the
same returne any Bayliffes officers
or seruauntes to any office as afore
said / nor that cause any thinge by the
self or by other of any person by him
arrested or attached / to their owne
proper auayle / or of any other person
for any arrest or attachemente by / or
by any made by them / or that is arrested

by herte of theyr offyce for tyne, fet,
fuyte, or pryson, maymys lettinge to
bayle, of shewinge of any cafe or fa-
uour to any perfon beyng arrefted
for them reward or profite but as is
here by mytted, that is to wyt, for the
Shyryffe xx.d. the Baylyffe that ma-
keth the arreft, iii.d. and the gayo-
loure if the prisoner be commyted to
hym, iii.d. And no Baylyffe of anye
libertie nor Coroner by hym felfe nor
by other his colloures of his offyce fhal
take any thyng for the makynge of
returns or panell, and for the coppe
of a panell but iiii.d. Also Baylyffes
of lybertyes fhall let out of pryson all
perfons by them arrefted or being in
theyr kepynge by force of anye bylle,
wrytte, or warrant in any accion per-
fonal, or by force of any indytemēt or
trefpas vpon reafonable furetye ha-
uing fufficient within the baylywike
where they belet to bayle to kepe their

dates in the same places as the same
bille, writte, or warrant shal inquire
thole only excepted which be forward
vpon anye condemnacion, or be ex-
communicate, or outlawed, or arrested
vpon sure ye of ye peace, and bage
rances that refuse to serue. And that
the sayd bayliffes shal not take anye
obligation of any person, nor by any
person being in their ward by course
of the lawe, for any the causes above
rehersed, but in the name of their of
fice, and vpon the condicion that the
same perdon shal appere at the dates
conteyned in the said writtes, billes
or warranties, and in such places as
they require. And yf anye bayliffe
take any obligacio in any other for-
me by colour of his offices, it shalbe
voide, and that he shal take no more
for the making of any such obliga-
cyon, warranty, or precept by them
to be made, but foure.d. And yf they

do contrarye vnto this ordynaunce in any poynt, for so doynge they shall yeldyte the party greued his damages trebled, and shal forfeyt for euery tyme that they do the contrarye .xl.li. the one halfe wherof shalbe to hym that pursueth the (in any of the kynges courtes therfore) [illegible] Henrici sexti. Capitulo Decimo

¶ Baylyffes of lyberties oughe not to seaise the goodes of anye person arested or imprisoned for felony tyll soye that they shalbe conuicted or attayned of the same felonye, accordyng to the lawe, or elles that the same goodes be other wyse forfayted, vpon payne to forfayte the double value of the goodes so taken, vnto the partye so endamaged suing therfore by accion of det, wherein no wager of the law nor protection shall lye, nor wise be allowed to the defendaunt primo Richardi secundo. Capitulo tercio

Baylyffes of liberties that be gay-
lers and haue the kepyng of gayles
shall certifye the names of euery pri-
soner in his gayle at the tymes of ye
laty, at the next generall gayle deli-
uerye vpon paynes of forfaytyng of
(wherof soeuer he is) to be leuyed
before the Justices of the same gayle
delyuere vpon payn to forfaycte for
euery default therin recorded. C.C.
Anno xxiii. Henrici viii. Capitulo xiii.
¶ All Baylyffes and other heddes offy-
cers, and euery of them shall lyge
knowing any person beyng depar-
cising any bulle and full gayles contrary
to the statutes, haue power to com-
mit euery such offendour to warde,
and there to remayne in prison with-
out baile or mainprise, till such per-
as he be bound by obligacion in such
sum, as discrecio of hym that taketh
the bound, shall reasonably set to the
kinges vse, that he shal pay to the

Anno xxvi. Henrici. viii. Capit. xxiiii.

¶ All Statutes made & ordained against Shyriffes vnder Shyriffes, Baylyffes, & other ministers for makyng of returnynges of panels, Iuries, & for due execucion of seruice of processe & other processe & for takyng of fees & for the reformacion & correccion of & for any other thyng concernynge they offices, and all processe contrayned in euery suche statute, shall be effectuall to all Shyriffes, Baylyffes & other ministers, and officers of liberties and fraunchyses hauynge returne of writtes and execucion therof in like manner as they extende to Shyriffes, they vnder Shyriffes, Baylyffes nor other ministers, sauynge that the Baylyffes, and officers of lyberties may occupye theyr offices for as long tyme as they shalbe gyuen vnto them. Anno xxvi. Henrici octaui. Capitulo xxiiii.

THE OFFICE OF A CHATOVRER

then they ought, yf they haue cō-
fessed and be yet vnconuicte of o-
pression vnto the kings ryghte by ex-
amynacion of their offices. And therfore ye
shall vnderstande, that no escheto
ought to medle or inquire for y kyng
but in case where the kynge of ryghte
ought to be entitled and that the
knowlege of thinges that is found for hym
by the enquest, for if one holde of the
kynge as of his duchy of Lancastre
by knightes seruice, & die, his heyre
beyng vnder age, the kynge ought
to haue the warde of the heyres me-
land. And yet in what case if the escheto

[illegible] he that hath no
[illegible] for the fyndinge therof, by-
cause the tenant held not of the king
in chefe as of his crowne and ther-
fore the wardship entre and seale the
third and the office without office
[illegible] in this maner it
[illegible] office that one
lord holdeth and held of other lordes
and not of the king by knyghtes fee
and that he is deade & his heire
within age. The escheatour shal be
[illegible] nothing of right for fyndyng
of suche an office. And yf he fynd
by office that one died seased of diuers
[illegible] held of the king
as of the honour of Caster by
knyghtes seruice, and his heire with-
age: yet ought not the Escheatour to
haue any fee or duetye for the fyndyng
of that office. And yf he take any fee
therfore, it is extorcion which is well
proued by a writ of (diem clausit ex

the mum the woods taken out of his
Quia georg[illegible] et qui de nobis tenuit
in capite die quo obiit, die clausit extremum vt accepimus de his prem
pimus &c. whereby it appeareth if
one holde not of the kinge in chefe
the Eschetour ought not to have the
fee of forty shillinges for findinge of
the office. And if he take it to his
behalfe it is extorcion.

And in assise, if the defendant saie
that the landes are seated into his
ges handes by the eschetour and the
Eschetour being there present and
examined by the Justices then upon
do confesse that he hath seised the la
des into the kynges handes, where
in deede he hath not so done: in this
case the eschetour doth wrong to the
plaintyfe, which may haveno accion
vpon his case against the eschetour
for his failed, and for the delay that
he hath sustayned, though that con-

fession

fession by fynage to the kynge for al
proceedyngs.

None shalbe Subescheatour onles
he haue sufficient landes in those pla
ces where he is officer to answer to
the kyng and his people in case that
any wolle complaine agaynst them.
Anno quarto Edwardi tertii. Capi.
nono. Anno .v. eiusdem. Capitulo .iiii.

The Escheatours shalbe chosen
euery yere as the shyrifs shalbe, and
by the same persons that chose ỹ shi
rifes, and that no Escheatour shal
abyde in his office aboue one yere.
Anno viii. Edwardi tertii. Capitulo .iii.

The Escheatour shall not be walke
in bythoppriks, and other places
during the vacacion of the, neyther
shall sell vnder woodes, nor chase in
parkes or warrens, nor fysshe in pon
deys or seuer fishynges, nor maye take
no fines of any tenements fre nor bod
but shal cause the to be kept & saued

with-

without doyng damage or any maner of oppressiō, An. xxiii. Edwardi tercii. Capitulo quarto.

¶ So by this statute it appeareth that it appertayneth to the office of an Escheatur to seale the temporalties of Archebyshoppryches, Byshoppryches, Abbeyes of the kyng in fotidacion during the vacacion of the same, and to take the profyts, and to accompte for thē to the kynge in the Escheker: Howbeit there is another statute made in the same yere the effect whereof is, that the Deā and chapitur or Couentuall will take temporalties to seruyng payenge the value accordyng to the remembraunces in the Escheker that they shall haue thē before another. And by an other statute made the same yere Capi quinto the Chancelour Treasurer of the Escheker takyng to them suche ayde of the Councell as they

they shall thynke good shall lease the vacations of Archebyshoprikes, Byshoprykes, Abbeyes, Priouryes and other houses of religyon, thaduoidance whereof belōg to the king, the Deane & Chapiter, Priour, or Suppriour Priores, or Suppriories and Couent at a certayne rent to paye by the yer quarter, or moneth, during the vacacyons as they shall thynke best with out makyng fayne. And neyther the Eschetour nor may other officer shall seke cause or matter, to enter, or to medle, or do any thyng in prejudyce of the church, Belongyng to the kyng and his heyres, knyghtes feesadnou sons, Escheates, Wardes, Mariags Reliefes, and seruices to the sayde fees belongyng. In wytnes wherof the kyng caused his letters patentes to be made therof dated at westm, the eight day of Apryll ỹ yere above mencyoned, wherby it appereth that

the

thautorite afore said to make leasses was giuen to the Chaunceler & the Treasorer by the kynges letters patentes &c. Anno xiiii. Ed. iii. Capit. iii.

The shetours and othes the kynges ministres must accompt in the scheker after this maner; that is of lands & tenemētes wherof profit arryseth from time to time throughout the yere as of Wylnes, herbages, tolle, plees, profites of courts or such other issues and profites, they shalbe bounden to answer the king for the rate & value of the tyme accordyng to the olde course of the scheker. And touchyng auncient fremes & rentes that are to be payd at certayne termes as Rent lecke, & rent Seruice wherof no profite aryseth vntyll the day of payment suche rentes and fermes shalbe payd vnto them that haue lyuere therof out the kynges handes at the termes of payment of the said

fermes

fermes & rentes next folowyng such
leases made as wer for the cure passed
& tyme to come. An. xxviii. E. 3. c. 4.
¶ The kyng and his progenatours
made bens sealed of forfaytoures of
waste cume out of mynde that is as
well of landes and possessyons as of
goodes and catelles. And by colour
therof the scheatours by theyr office
haue sealed many landes, and tene-
mentes as forfaytes to the kyng sur-
mysyng treson in some personsbeing
dead at the tyme of the sealer, which
neuer were arrayned in theyr lyues,
the kyng hath ordeyned touchyng
such forfaytures that fell in the tyme
of his grauntdefather or before, that
so sone as any quest therof shalbe re
tourned into the Chaunterye by any
escheatour other that hath power
to enquyre therof, the tenaunte shall
not be putte oute of possessyon, but
shalbe vouched by a Scire facias

of

to appere at a certayne day for to ayll
swer vnto the same, yf he will. And
if no such forfayture be founde the
kynges hande shalbe closed, forthat
in all other caas of forfaytures of ly
fon by persons dede also not attayn
ted nor iudged in their lyues, their
heyres nor land tenantes shall not
be chalenged nor empeched of any o
ther forfaytures, but of those oneley
that haue ben iudged in tyme passed
afore the death of certayne persons,
by presement in Eyre or in the kyn
ges benche as felons of the kynge
and other. And therfore it semethe
if oure moste dere sire the king
in his realme and ysshein in the same
then the Escheatour maye seise the
landes and tenements, as forfaiture
of warre without any other enquery
to be made therof.

¶ Euery Escheatour must take his
inquestes of office of good & lawfull
men

ment sufficient of inheritaunce at those
good fame and of the same countie in
whyche the inquire shalbe made. And
ye inquestes shalbe indented betwene
these the tenures and the Jurours and
yf it be other wyse doone they shalbe
voyde and they shalbe take in good
cownes openly.

¶ Wherefore may be taken to the kyng
cousshyffe whereby mye alienacion
of dyeng seased or that the heyre is
vnder age and the lande holden of
the kyng in chiefe is founde.

¶ Landes seased into the kynges han
des by reason of wardes shalbe leped
without waste and destruccion and shall
hand no fee of verdit fyne ne of other
thynge but shall answer the kynge
of the issues and profyte accrewe
ynge of the said landes without wast.
And if he do other wise the court shall
fine at the kynges will, and to paye re
ple domages at the sute of ye partie as

wall wythin age, as of full age. And
yf he be wythin age, his frendes shall
haue the saute of him answeringe to
the peyne of that, that so shalbe reco-
uered of him. Concerning other lan-
des seased into the kinges handes by
escheate of office by the escheatours this
forsaid ordinaunce and punishment
shall hold place against the fine tenure
And if any make clayme to landes so
beyng seased the escheatour shall re-
turne an inquesicion into the Chaunce
rye wythin one moneth after such
seasen, so that it wolde be deliuered to
hym to enquire the cause of the seasen
and then shall the partye be heard to
reuerse the office, or other wyse to
shewe his right. And the Chaun-
cellor vpon his owne discrecion to
be sene cause may seasse the landes to
the kinges vse, payeng to the kinge the
value if it belong to the kyng so that
he finde sureties that he shall do no

waste

wout tryall it be adiudged. And the
eschetours shall take there In-
questes in good townes, & by honest
men openly by Indentures to be made
betwen the eschetour and them of the
inquest and if he do contrary to this
ordinaunce the to haue two yere im-
prisonment, and further to make fine
at the kinges pleasur. An. xxvi. Ed-
wardi. iii. Capitulo xvii.

Non shall be eschet our if he haue
not in lande at the least xl. mese in
fee and that thei execute they offyce
in proper person. And yf he be other-
wise then to be put out wherby it ap
peareth that the Shirefe eschetour can
not inquire nor fynd offyce anno xii.
Edwardi iii. Capitulo. b.

Eschetors nor commyssioners,
shall not take inquestes, but by those
that be impanelled & returned bi the
shirife, & if they do otherwise & be co
uict by examinacio or otherwise at y

 suyt

thyrde of the partye or of the kinne, or
any other person that wyll sue, they
shall recure the peyne of .xl. li. the
moytie to him at whose suyte they shal
be sompned. And that no landes fee-
fed vnto the kinges handes shal be let
to ferme by the Chauncellour vntyll
the inquest and verdytes be retour-
ned into the chauncerye, and by one
moneth after the same retourne, ex-
cepte it be to the partye greued which
was put out of those landes by the in-
questes, and will offre to trauerse the
and shewe good euydence, and finde
sufficyente surety to sue hys trauerse
with effecte, and to paye to the king
the yeareye value of the landes yf it
had to be discussed, for the kyng and
yf any letters patentes of any landes
or tenementes to the contrary be made
to any other person then to him that
offereth to trauerse or be let to ferme
vnto him a moneth nexte to ye said mo-

neth

nethe of retourne they shalbe lyable
and holden to pay. Anno viii. Henrici vi. capitulo xii.

¶ Escheatours and commissioners
shall retourne the inquestes taken be
fore them into the chancery or in the
chequer within one moneth next after
the takyng of the same, upon payne
of xl li. the one moytie to the kynge,
the other to hym that wyll sue. Anno
viii. Henrici vi. capitulo xii.

¶ And if any Escheatour take any
office before him, and do not retourne
the same into ỹ chauncery or the chek
quer within the moneth next after ỹ
takyng thereof he shall incurre the
payne of xl li. forfayte by the statute
made Anno viii. Henrici vi. and fur
ther shalbe bounde to pay to the king
as much as he is endamaged by the
not retournyng of the same and that
the chauncellour of Englād callyng
to him the treasorer of Englād may

leafe fuch formes for the due execu-
cyon of the fayd eſtatute Yet in the-
ſelfe it apereth / the ſame eſtatute
gyueth but .xx.li. of toll aye agaynſte
The ſeſſe rowe or commyſſioner, that
ſoꝛ ſerch for the true recorde of both
the ſtatute and poſſit. habetur. vi. capi-
tulo. ſeptimo.

The ſeſſours muſte take theyr in-
quiſes of diſcye by vertue of ꝑ writ
of (diem clauſit extremum) and all
other wꝛytes within one moneth af-
ter the receyt of the ſame, & that ſuch
inquiſes be taken in good townes
and open places. And that non of the
ꝑtyes nor openly by him ſelfe or by
other take any thing for the execuci-
on of ſuche wꝛytes in one rodmyde a
boue the ſumme of .vi.s viii.d. ob. cui.
s.iiii.d. ob. vnder ꝑtyes his labour and
his coſtes ſo that the ſumme that he
hath taken all togither excede not a-
boue .xl.s. for the execucio of any ſuch

wꝛyt

[illegible] ... and yf they do
[illegible] ... the premisses then they shall
[illegible] ... the fumme of.xl.li. the moyte to
[illegible] ... that will sue for the kinge and
[illegible] ... Anno.xxiii, Henrici [illegible]
[illegible] ... Escheatours, yf he
[illegible] ... landes or tenementes to the
[illegible] ... of.xx.li within the county for
[illegible] ... lyfe nor in the county where
[illegible] ... Escheatour, nor no Escheatour
[illegible] ... office to ferme nor make
deputie (other then he will at his pleasure for) whose name he muste
certifie by his letters patentes to the
Treloyer and Barons of the Eschequer
for the tyme beynge within.xl. dayes
after suche deputacion made and that
no suche deputye take vppon hym to
occuppye in the sayd office onles the
escheatour haue landes tenementes or
rentes to the yerely value of.xx.li. as
before is sayd. And if any person do co-

trary to the premisses or any of them
them to forfeyt. for euery defaut xl li.
the one moyte to hym that wil sue, &
the other to the vse of the kings house
by accion of dette wher no wager of
lawe essoygne, or protection shal lye.
Anno. xiii. Edwardi iii. Capitulo. iii.
Also ffyrste eschetour nor other
person shall seaze or take ꝑ goodes of
any person arrested or imprisoned for
felonye before that the same person so
arrested or imprisoned be conuicte or
attainted of ꝑ same felony according
to the lawe of England or that the
same goodes shalbe otherwise forfai
ted vpon peyne to forfayte the dou-
ble value of the goodes taken to the
party damaged. suyeng therefore by
action of dett wher no wager of la we
essoyne nor protection shal lye, anno
primo Richardi iii. Capitulo. iii.
¶ If any eschetour or commissyo-
ner put in to any of the kings courtes

any inquisicion or offycyall trechinge landes or tenementes, or other hered ytamentes, not founde nor presented by the othes of .xii. men, and indicted and by them sealed then to forfayte for every suche offence returned, & put into any of the kinges courtes one .C. li to the parti greued & .vi. li. viii. capitulo secundo.

¶ No escheatour nor other commissioner shal set by vertue of any commyssion to enquire of landes & tenementes, except he haue lāde so tenementes, or hereditament to the clerly value of .xl. marke over all charges, upon peyne of .xx. li.

¶ The escheatours and commyssioners shal be discharged by theyr othes that they may not dispend .xl. Markes over all charges and that upon proces made against them out of the escheker. The escheatours and cōmissioners shal set in oppen places

and shall suffer euery person to gyue
euidence openly in their presence to
the inquest taken before them vpon
payne of [illegible]

¶ The Jurye shall receyue the coun
terpayn of the indenture that shalbe
presented, indented and sealed by the
Escheatour or Commissioner and to
rest in the possession of the hyest man
that was sworne in the same Jurye
vpon payne of euery person that shal
be sworne [illegible]

¶ And euery Escheatour and Com
missioner after the Jurye is sworn
and redy to gyue their verdite, & of
fer to present the same that the same
Escheatours or Commissioners, & o
thers of their company shall receyue the same
verdit without further delaye vpon
payne of a C.li. and deliuer the coun
terpayne of the same indenture to the
Jurye in forme before sayd vpon
the same payne.

¶ And yf the Clerks of the perie bag or his deputye wyll not receyue such officers, and put it into the files to remaine of record within the daies after it be returned or offered to be received, he to forfait for euery such default .xl.li. and the commissioner, & escheatoure to be discharged of the penaltye of forty pound limitted by the Statute for none retournyng of the same officers, or inquisycion wythin one moneth.

¶ And lyke law and penaltye to be agaynste the officers in the kynges escheker which ought to receiue such inquisition, for refusing so to receiue the. And the cõmissioners and escheatours to be discharged of the penaltye for non retournyng of the same inquisicion so that the sayd escheatours or cõmissioners at any time after ỳ moneth of suche office before the sould or be sore ami of the wythin an other mo

neth

then next ensuing returne the sayd
office into the Chauncerye, or eschea-
ker as the case shall require, and the
clerke of the petie bagge to certifye y
transcripe euerye suche office taken
before ani Commissioner or eschea-
four into the eschekar the nexte terme
folowing the receit thereof, vppon
paine of C.s. for euery suche defaute
And no man be compelled to occu-
py the office of echeatour by ani pa-
tent ouer one hole yeare and that he
that is ones escheatour shall not be e-
chetour againe within .iii. yeres nexte
after the said hole yere ended.

If ani escheatour execute his of-
fice by reason of ani patent ouer the
time of a hole yeare ended or be ma-
de Escheatour within thre yeres af-
ter then after the sayd hole yeare ende
ded this patente so made to be void
and the partie greued shall haue his
recouerye of euery of the said forfay-

tours

faitours of one hundreth pounde by accion of det habre no wager of law essoine nor protection to be allowed They be diuers promisions made for diuers eschetours in Cities and Boroughes and in diuers countries.

¶ And yf the landes or tenementes of any man be seased into the kings hande by vertue of ani offices found before the escheatour or Commissioner or by reason of ani other recorde founde in the chaunceryе, or the escheker, and he that is put out of hys andes by reason of such recorde, or office so founden come and trauerse that recorde or office and it is found for hym whereupon he hath his iudgement that the kinges handes be ioyned and amoued, now yf it so be that therbe another record or office fonde remaining amongst the kinges recordes which is not trauersed nor cyted yet shal not eschetoure seaze the

landes

landes agaynst in the kinges handes
by reason of that record being found
and not trauersed. And yf he do the
contrary, wronge and extorcyon, and
the partye that is put out shall haue
assise agaynst him, and shall recouer
double domages agaynst him. But
in this case the king shall haue a fe-
te fayl as agaynst him that hath the
landes out of his handes vppon this
other record of office þ was not tra-
uersed before. This is gyuen by the
statute Marlebrige called the statute of
escheatours and in obseruacion.

Also that the escheatour by colour of
his office without warant or auc-
toryte of the lawe that belongeth to his
office disseise any man of his landes
or tenementes the party that is dys-
seised shall haue an assyse of nouell
disseison, and shall recouer double da-
mages agaynst the escheatour.

Capitulo xcvi.

escheatour

¶ The escheatours hath no power to amerce any man that appeareth before him and misdemeaneth himself or if the Iurrours that be somoned appere before do make defaute, he shall record suche thinges in his rolle, shall not amerce the Iurrours, but he shall send the same recorde to the Iustices in eyre or to the Iustices of Assise when they come into the countrey.

¶ It shalbe lefull to the shirife, Iustice of peace and escheatours to seale to the kinges use all such goodes and cattelles that suche persons as come within this realme that be called egyptians have and therfore to make accompt to the king in his escheker, and to retaine and kepe the moitye therof to his owne use and accompt for the residue, & to pay no fee for the accept nor for his discharge therof.

¶ The office of Constables.

Or as much as the office of a Constable was an office at the common law of long continuance and was first ordeyned for the conteruacyon of the kynges peace to be hadde and kept in euery towne amonge the kynges subiectes ther dwellynge / somewhat shall be spoken. And howe farr forthe they power doth extende, and what penalties are prouyded agaynste them, for not executyng theyr offyces.

¶ Who doth belonge to the keapynge of the peace at the common lawe

It is nowe to be sene for the conseruacion of the peace what persons by the comon lawe had aucthorite ther in before the makynge of statutes wherby Iustyces of the peace are ordeyned. And it semeth that by y comon lawe diuers persons had conseruacions of the peace for at the comon lawe ther was an person which

is called chiefe Justyce of England to whom the kyng committed his auctoryte in the myniſtracion of Justyces for thinges touchynge his corone, and for the conſervacion of his peace among his ſubiectes throughout al his realme. And that is proued by the wryt which the kyng ſendeth to him that he ſhall holde his place in the miniſtracion of Justice to his ſubiectes in the fourm aboueſaid throughout al his realme, wherby it doth appere that the ſame chyefe Justyce is high conſervatour of ỳ peace throughout all the counties of England, and in euery parte of the realme wher he goeth. Alſo ther be other perſons conſervatoures of the peace throughout the realme, as the Steward of England, the Marſhall, and the Conſtable of England. Alſo the Conſtable of euery towne wer and be kepers of the peace by ỳ compn lawe lykewyſe

which Constables of hundredes,
petaxes, laches, or tithynges wer
of conseruatoures of the peace by
the cõmon lawe, within ỹ townes or
hundredes, and within theyr limits
And before the makyng of the statu
tes, wherby Justicers of ỹ peace are
ordeyned, the kyng by his commissiõ
made conseruation of the peace in
those counties & places (where him
thought best to kepe his peace. And
the authoritie which conseruatours
of the peace had by the cõmõ lawe, is
the same authoritie that a constable
of a towne or wapẽtake hath at this
day, the which I shal partly touche.
If one make assaulte vpon the con
stable, the constable may defẽd him,
and may take him and commit him
to the gayle, vntil he haue found sure
tie to kepe the peace, though that the
assaulte were made vpon him selfe.
As it appereth. Vicha. quinto Hen

rici

[illegible] more ouerye a constable is [illegible]
bringe affraye vpon a straunge per-
son he may take him and compell
him to prison, or to the gayle vntyll
he haue founde suertye to kepe the
peace.

And yf one man threate an other
vpon the that is threatened co-
meth to the Constable and he vewth
his matter and prayeth him to com-
pell him that so threatened hym to
fynde suretye in this case the Consta-
bles and the parte that is threatened
may go, and compell him that so dyd
make such threatening to fynde sure-
ertie to make the peace and if he will
not they may commyt him to ward
vntyll he hath founde such suretye
as you may se .M. xiiii. Edwardi. ter-
cii, in the tytle of Barre.

And yf one be striken in parell of
death it is the office of the constable of

that refuse to execute the offendour and to kepe hym in prison vntyl he be knowen whether the party so dyed will sue or not / yf he hath founde suerty to appere before the Justicers of Gaole deliuery or at such time as he shalbe called vppon to appere before the Justicers at their discretion

¶ And if one flye for felonye it is the office of the Constable of the towne to ayde hym to withstande to kepe them and if they happe to be impeached in his keping for that auowere for them as the statute .xx. Edwar. iii. in the Eire at Southehampton. But by the statute made .xxiii. Richard ii. capi. iii. that is chaunged. And if felons or murderers be in the towne and the constable haue knowledge therof it is hys office and duetye to assemble people for to take them.

And if one take a felon in the towne and bring hym to the constable to be

ordeyned in the grete ꝑlyament of constables
apperyth is to cause him swere and to
cause other of the towne to swere and
assyste him in so doyng.

Also note that constables have ben
deprived for two thynges, that is to
wit, to kepe the peace, and also to
prese felons to take kepe by obser-
vacion of such persons as they shall
fynde lurkyng aboute.

It apperteyneth to the office of the
chefe constable of England to have
conisaunce of dedes of armes and of
tractes touching dedes of armes and
of warre out of the realme and in the
manere all thynges touchyng armes
within the realme ought and have ben
determined by the comon lawe as it
appereth clerely by the statute made
the xiii yere of Richard the second.

Also it appereth by ye statute made
An. R. H. 4. cap. xviii. all appeall to be
made of thynges done out of ye realme

peace

peace they make resystaūce of the
partye, and put him in possession by
theyr power directed to the Shyryffe
¶ Constables in the townes wher
they haue office may arest me that
go or ryde armed in fayres, or mar-
kettes by day or by night, and take
theyr armour as forfayt to the king
and imprysō them at the kings ple-
sure. Anno. E. tercii. at northampton.
¶ The kynges purueyours ought
to make theyr purueiaūce for the kin
ges house, by the constable, and four
honest men of the towne wher such
purueyaūce shalbe made without
threatynge. And in presence of the
Constables Tayles shall be made
and sealed with the seales of the ta-
kers, betwene the sayd takers, and
the partyes of whome the goodes be
taken. And yf any taker make hys
pfyte other wise it shalbe doen with hi
as dooth a fyele. Anno. E. iii. Capi.

Constables of townes muſt arreſt ſuch as paſſe by night, of whome ſuſpection is had, and deliuer the to the Bailife, there to remain in watche vntill they be duely deliuered. Alſo they muſt arreſt ſuche as be called robbers des nē, whaſters, & idle watches (if ſuſpection be had of any ſuche) be it by night or day, and deliuer them to the ſhyriffe vntill the comming of the Juſtices of Gayle delyuery. an. 5. ed. iii. Capi. xiii.

It is ordained that none ſhal take for threſhing a quarter of wheate vi. corne aboue two pence ob. and for a quarter of barly, beanes, pees, & otes iii. ob. if ſo much haue bene vſed to be geuen, and in the countrey where they vſe to repe by the ſheſe, & threſh by the buſhel, they ſhal take no more nor otherwiſe. And that ſuch labourers and other ſeruaunts ſhal make an othe two times in the yere before

loyders

Lordes, Stewardes, Baylifes, and
constables of euery towne, to do and
kepe this ordinaunce, and that none
of the that go out of the towne where
they dwelled in destres, for to serue
in some (if he can haue it ruled in the
same towne) saulng to the folke of
countees of Scaffolk, Darby, Lan-
caster, Cheuen, and the marches of
wales, their fre liberty to labour in
other countreis, in the time of auguste
And they that refuse to make suche
othe, or to perfourme that thyng that
they haue sworn and taken vpo the
shalbe put in the holdes by the lyege
Stewardes, Baylifes, Constables
of townes by the space of thre dayes
or more, and shalbe sent after to the
next gayle, and there to remayne vn-
til they wyll be ordered, and that there
be stocks in euery towne for this
intent, And the Stewardes, Bayly-
fes, and constables, shall make

othe before Iustices assigned to enquyre diligently of al the that offend against this ordynaunce and to certyfye theyr names before the same Iustices where they shal come into the countrey or to theyr sessions upon which certificat made the same Iustices shal cause the to be attached by theyr bodies to appere before the said Iustices, to answer vnto such contemptes, so that if they be attayned they shal make fine and raunsom and further to be commanded to prison vntyl they have found suerty to serue in maner above sayd. And the Iustices at euery tyme when they shall come into the countrey shall enquire of the bordereres wastes and coloblees within their bouse made good and in what, or wherefore bouse found vnlaw fully vsurped for any gyfte, procurement or affection, and shall punyshe them by fine and raunsome yf they be

wel vnderstonde. Anno xiiij. Edwardi
tercij Capitulo secundo and certaine
¶ Constables of townes wher as
fayrours, or vagabounders resorte
haue power to examyne theym dyly
gently, and compell them to finde suer
tye of theyr good behauioure by suffy
cyent mainpernours by stretnable in
case that any default be founden in
suche fayrours, and vagabounders.
And yf they cannot fynd suche suretye
then to his estate longyng. The next gaole
ther to remayne vntyll the nexte comming
of the Iustices of gayle delyuere,
wherby they may ordeyne to do with such
fayrours and vagabounders as they
shall thynke best to be done by the lawe
¶ And also that it be enacted by the
¶ Constables of Townes may ar
reste and trye all labourers comming
to the towne from any place vaga
bounde vnlesse he haue a letter contay
ninge the cause of his goynge and the

time

tyme of his retourne vnder the kynges seale that ther to shalbe assigned and deliuerad to the custodie of some honest man of the hundrede or apen vake, citye, or Boroughe aforsayde to the differend of ꝑ Justices of peace And the constable maye put hym in the stockes, and kepe hym vntyll he haue found surety to retourne to his seruyce or to serue in the towne from whence he came, vntyll he haue a letter to depart vppon cause reasonable Anno. xii. Richardi ii. capitulo viii.

¶ Constables haue power to arrest seruauntes and labourers that bear about them hangarbes, daggers, or knyfe, and to seale the same vppon as forfayte, and the names to bryng vnto the Sessions of ꝑ Justices of peace before whom they shall present suche wepõs with the names of them that bare them except that they traueile in the comyn pay they shall not present

sage

Sage. Anno .xiiii. Richardi secundi. Capitulo sexto.

¶ Shyryffes and other the kynges myniſters may take the power of ꝓ count rey to repreſſe aſſembles, and ryottes in outragyous nombre, and to commyt them to pryſon. An. xiii. Richardi secundi. Cap octauo. It ſeemeth by theſe wordes (the kinges myniſters) that Conſtables of townes haue power to do ſo by thys acte aſwell as the Shyryffes.

¶ Conſtables maye arreſte ſeruaun tes labourers, and impryſō thē by the ſpace of fyue dayes which vſe not bo wes and arrowes vpon Soundaies and ſuch other Feſtiuall days which wyl not leaue vtterly all playeng at the balle aſwell wyth hand as with foote and other games called coites dyce, caſtyng of the ſtone keiles, and al other lyke vnprofitable games. An. ri. Henrici quarti. Capitulo quarto.

Constables and all the kinges lyege people that are able to trauaile within the countrie muste be assistyng and ayding to the Justices of peace and the Shyffe to represse great routtes, and vnlawefull assembles vpon peine of imprisonment and to make fine and raunsome. Anno secundo Henrici quinti capitulo. viii.

Constables shalbe made in euery partie of the marches of Wales, and market townes to enquire serchand arreste suche persons that carye victaile or armour to any parte of Wales without the kinges lycence whi the constables shal haue the fyrste part of the forfayt for theyr trauaile. Anno quarto. Henr. iiii. capitulo xxvi.

Cõstables of porte townes) wher souldyours that haue ben retayned in wages to serue in warre beyonde the see or vppon the see and departe frome theyr Capittaines, and tourne

packe, or arme in anye parte of England, without licence of their capy-
tayne vnder his seale) maye arreste
such suspicious, and kepe them vn-
till enquirie be made of them, and if
it may be proued by enquirye before
Justicers of the peace, and proues
that they haue mustred of recorde &
departed from their capitaine (as be-
fore is sayde) without licence, then
they to be punished as felons. Anno
xvlit. Henrici sexti. capitu. xix.

The constables, Tithingmen, and
chiefe pledges of euery towne must
assist and aide the owners & sellers
of any goodes where the kinges pur-
ueiours will make their purchase
or bargain of any goodes to ye value
of .xl.s. or vnder of any person (& will
not pay prest paymente in hande: in
which case it shalbe lawful to euery
one of the kinges lieges, to retayne
them, and to resist such purueiours,

and

and not to suffre theim to make any
such purueiaunce. And if the Consta
ble. Tythyng man, or chefe pledge be
requyred to ayde or assyste any man,
in makynge such resistence and he re
fuse it, he shall paye to the partye gre
ued the value of the thyng so taken
by reason of bette with the damages
to the double. Anno. rr. Henrici sexti
Capitulo. xiii.

¶ Constables may arreste purvey-
ours or bierers of any lord or other per
son (except purueiours for the kynge
and Quene) which take any vytayle
or cariage against the will of the ow
ners, and to commyt them to the next
prison of the kinges there to remayne
without bayle, and mainprise, vntill
they haue delyuered all the same by
tayles of cariage and other thinges
so taken. And yf the Constables do
otherwise whē they be required they
shal forfayt twentie pounde. The

moyte

enoyte to be to ye parte from whome
the goodes were taken to be recou-
red by accyon of det wherin ye de-
fendaunt shall not wage his law &c.
Capitulo viii. Quod
Clothyers shal paye to cardars, spi-
ners, and other labourers ye wekill
wages for theyr workes and cardes,
fotes, and other labourers shal do
theyr dutye upon peyne of double da-
mages. And the Constables of the
hundred or Constable may heare and
determine the complaynt of euery
such clothier and labourer as well for
more payment of the sayd wages of
labourers as of the sayd double dues
and damages by due examinacion of
the parties in that behalfe, & further
for more paiment of the sayde duties
forfaitures and damages to adiourne
the trespassours to the next gayt in
the same courte wherin the sayd du-
ties forfaitours & damages be duely

ꝓuyded vnto the said labourers or ꝑsons
theirs. And the .xxxv. yere of the said
king Edward the .iij. Capitulo
.xxiij. ꝓuyded.

¶ Euery hyghe Constable or petye
Constable shalbe take or cause to be
take all vagabundes ydle people and
suspect persons lyuinge suspectously
and them to kepe in the stockes and ther
to remayne by the space of one nyght
and day and yf he haue none other suffycyent
meat drynke and water and then to
conuey the to the towne where they were
taken into suche places or hundreth wher
they were borne or wher they haue
dwelled by the space of thre yeares.
And yf often tymes they be taken in such
defaute then they to be set lyke wyse
in the stockes by thre dayes and thre
nyghtes with lesse bred. As is hereafter
ꝓuyded in the statute made in the
.xxvij. yere of the said king Edward
capitulo, &c.

¶ Constables & other head officers
and euery of the finding or knowing
any person vsyng or exercysinge any

vnlawfull games as tenes play boto
les, kaylye, and all other vnlawfull
games prohibited by many statutes
that haue full power to commaūde e-
uery such offendour to warde, there
to remaine xxiiii houres or more, as
all such time he or they to offendinge
be bounden by obligation to the kin
ges vse in such sume as by discretion
of y same officer shalbe thought rea-
sonable, that they from hence forthe
shall not vse any vnlawfull games.
Anno. xi. Hen. viii. Ca. ii.

For wages for bootemen, and for
euery barges or lyghters, or for a barge
from London to Grauesende. iii. s.
of eis euery person and his male. ii. d
and Lees to Eltey, greenwich, Gra-
uesende, or Rochester. iii. d. or eis for
euery person and his seruel. i. d. & a
passenger. iii. d. from London to wal
tham. iii. d. for a bote or wherry & eis
the ride bote, or eis euery person. ob.

from L. ondon to Grenewiche iiij d
or els ob for euery person and his
barge fro London bridge or saynct
Mary Oueres or powles wharfe to
Westminster iij d ob or els euery perso
ob from the blacke fryers bridwel
and dowgate to Westminster or
Lambeth ij d with their males or
els euery person ob so that it amoun
to iij d fro westminster to lambeth
or stangate one ob for a bote from
London to Westlake fi d or els e-
uery person ij d with his male And
for those places above name d to lo-
don for a bote or barge like fauwes
to be payed And these articles to be
kepte upon payne to forfaite trebl
the fare And Baylifes Constables
and other the kinges officers shall
haue power to the lowest vpon com
playnt to them made or to any of the
by the that he greued or that behalf
may arrest them and commyt them

to watche for thē and bringe them and
to make serche for the same. And whether
xiiii. Capitalo
(¶ By the statute made the xiiii. yere
viii ho we impotente persons shalbe
ordered to beggē and howe they shal
minge It is ordeyned that all im-
potent persons auctorised to begg do
begge in any other place then within
the limittes to him assigned shall the
Constables and all other the kinges
officers shal by their discretion pu-
nysshe all such persons by imprison-
ment in the stockes by the space of iii
dayes and thre nyghtes geving them
but onely breade and water and af-
ter that to cause them such persons
be sworne to return agayne whence
delyre to the hundred, rape, or
Borough, Towne parelle, or Reuth
chyle wherein they be auctorysed to
beggē.
(¶ And if any impotent person be a

garant and go a begging and haue
such lyuer vnder seale as is specified
by this statute then the constables &
al other inhabitaunts within suche
Townes or parishe shal cause euery
such begger to be taken & brought to
ỳ next Justice of peace or hie consta
ble of the hundreth and thereupon ỳ
said Justices of peace or hygh consta
ble shal cõmaund the said constables
and inhabitantes of the towne or pa
rishe, which shall bring before hym
any such begger that they shall strip
hym naked from the middle vpwarde
& cause hym to be whipped vntil hym ỳ
towne wher he was taken, or wher
the same Justices of peace or highe
constable shall appoynt; and yf not
then to comaunde such begger to be
set in the stockes in ỳ same towne or
parishe wher he was taken by the
space of thre dayes and thre nyghtes
to haue onely breed and water and

there.

ther vpon the sayd Justices of thys
constables shal limit a place to ꝑ same
beggar to begin. And to geue him a
letter vnder seale in fourme before ꝑ
mitted & to swere him to repaire thy
ther immediatly after his punysshe-
ment executed.

And all other persons being hole
and mighty in body that do beggerly
constable of the hundreth rape or wa-
pentake wherin such persons shalbe
so take and the Justices of peace, or
high Constable (before whome they
shalbe brought) by their discretions
shal cause them to be wrought to such
places wher they thinke conuinent &
ther to be whipped naked through ꝑ
towne, market, & thē to be swoorne
to returne to the place wher he was
borne or wher he last dwelled by the
space of three yeares and to haue a let-
ter vnder the seale witnessinge that
he hath bene punished.

Of forein persons that come to any fayre or to the courte within this realme shalbe conueyed thereto by the commaūdis of euery towne ship that is next vnto whereas they be take and from fayre to fayre or towne to towne vntyll they be abiured in lyke maner and fourme as persons that had abiured this realme, ought to be conueyed to the next port of the sea from the place where they be abiured vnto the same port by course of the comunalaw before the making of this statute. Anno. 32. Henrici octaui Capitulo. xiii.

Euery tenaunt of, or owner of lands tenementes, or hereditamentes, wher of the yerely value of xxiii. amounteth to, v. pounde, wherin inhabiteth the same shall pay to euery person which by his diligence and labour in the owne the corne taketh any olde rootes and rootes of thoughes vpon the same landes tenementes, or hereby

tamentes

cantes of the yerely value aforesaid two pens for euery twelue olde crownes rokes or thoughes, and .x.d. for .vi. and one ob, for thre olde crownes, rokes or thoughes. And yf any seruante or owner refuse to paye the sayd money according as is aforesayd then vpon complaint and proffe made therof to any Justice of peace or vyghe Constable, the same Justice or high Constable shal cause the same money to be leuied by vyltrelle of ye goodes and catels of euery such seruante or occupyer of the same landes and tenementes. An. xiiii. henrici. viii. Capitulo. x.

Wher it is ordeyned by an estatute made in the .xii. yeare of kynge Richard the second capitulo .x. that he which clepeth and prouoketh defautes in any clothes pute to sale contrary to the astate therof ordeined touching clothes & contrary to the sayd estatute,

shoulde haue the thirde parte of euery
such clothe beinge defective for hys
labour by the deliuerye of the Sher-
riffes of they be present or els of the
lordes of faires & markets or of the
wardes Bayliffes or Constables of
townes wher such defective clothes
shalbe found by Indenture betwene
them to be made the whiche shall be
delyuered euery yere into the scheker
at the feast of saynt Michel by them
that shal make such deliuerie to the
tent to charge the surmyses and
Coillours, by whom such maner of
defaultes ought to be searched and a-
mended, anno vii. R. ii, Cap. v.

☞ If any person shyppe marchaun-
dyse of the Estaple in places suspecte
adioynyng to the costes of the water
and maketh no Indentures therof
betwen hym & the shawe or Consta-
ble of the towne they shalbe forfayte
and the kyng shall haue the moitie

and

and the lord of the towarnd he that found and sealed suche wraues, shall haue the other moytie, and it is lawful for euery person to serue in these causes. Anno xiiii. Henrici sept capitulo quinto.

¶ It is ordeyned that a horse man shall paye for passage at Douer thre shyllynges and a foteman .iii.d. and the Constable of Douer to punysshe them that do the contrary at the sute of the party that wil complain, and shall do him ryght in that behalfe. Anno quarto Edwardi tercii. Capi octauo

Here folowyth the office of the Coyoner.

For to declare plainely the office of a coroner it appeareth by the Statute of Magna carta in the xij. chapiter, that coroner ought to hold any plees of y crowne but Bracton declareth the office of a Coroner in fourme folowinge.

First that in euery county Coroners shalbe principall executours of the peace to bere recordis of al plees of the crowne of abiurations of iuriers and bataile. And the Coroners shall minde in ordre before the shyrife in the full tourne, that they shal make theyr inquestes encollementes, and al that to the coroners office appertayneth lawfully, & without asinge allowance. And yf any finding thefte or treasour be founde, or any woman rauished or prison broken, or any man wounded nyghe vnto death, the Coroners (so sone as he shal know ther of)

of shall sende to the Shyreffe, and
Bayliffes of the places where suche
auenture shal happe, to cause to come
before hi by a certaine day & place
(where such chaunce befell) fowre of
the next townshippes and other, if
nede be, by whom he shall enquire
the veritie, and shal compel the fowre
townshippes to swearre vpon the sainctes
to shewe the truth of those articles
he shal demaund of them. Then shal
the Coroner & the Iurours viewe
the bodie, and the wounds, and the
brokes, and immediatly after suche
viewe had, the body shall be buried.
And if the Coroner finde the bodye
buryed before his comming, he shall
record the same neuertheles he shall
not cause to digge vp the bodye and
make it be viewed vpon the fowre
townes. And those Iurours which haue
ben impanelled and come not to in-
quiries of corones shal be amerced

at

at the coming of the Justices at the
fyrst assises in those countries, so that
such defaults be entred in y coroners
roll. Also y the coroner shall have no po-
wer to answer no mā for any default
¶ And whē the inquest is fynysshe
the coroner muste inquire if any per-
son were slain by felony, or by mislad-
uenture, & whether the felony were
done within a house or without, & all the
circumstace. And after it shalbe inquy-
red who were present at the deede, &
who be culpable of the aide, force, cō
maundement, cōsent or relief of suche
felonies wittingly. And if the Coro-
ner haue any suspection of the fyrste
inquest for concealment of the truth
or if it be nedeful to enquyre better,
and by other, then shall be enquyre
diuers times, and all such as therof
shall happe to be indicted, the Shyr-
riff shall take in all the haste, if they
may be founden, and if not, the Co-

roners

yours shall enquire who they be, and who hath withdrawn themselues for the oppression. And the Shyrif shall forthwith cause their landes to be seased, and afterwardes all their goodes, and cause them to be prysed by a lawfull inquest, and the goodes wherby the pleges shall be enrolled into the Countes rolle, and shall be deliuered to the towne Shyppe for to be answerable therfore vnto the kinge in case the partye shall not fyne and vpholde his landes to right.

¶ And after they shall enquyre if the that is indited bydde euerlyng sureties to kepe the kinges peace, and the names of his mainpernours, which he shall cause to be put into his rolle.

¶ And yf the plaintife wyll sue Appealle within the peace and the day then shall the fynde two sufficyent pledges to the Shyrife of that Countye, dysfreyndle within the

the same to sue his appele according
to the lawe of the lande And then shal
the Coroner cause the Appeale to be
entred with the names of the pledges
and after it shalbe commaunded bi
the Seriaunte of the countye wher
such felonye is done (which as me
seemeth is the highe office of the Bailiffe
errant) that he bane the body at the
nexte countye. And if the Seriaunte
retourne at the seconde countye that
he can not fynde the, then shall it be
awarded that the principal beynge
appealed of the deth shall openly
called to stand vpon his vtlawry touchynge the
same felony, and so shalbe called fro
countye to countey vntyll they come
or be outelawed And if the plaintife
make Defaute at anye countye, then
shall the attaints passe vntill the com-
minge of the Justices of the Kinges
benche, or the Justices in Eyre in the
countye. And if the principal be out-

lawed

lawfully the exigentes shal go forth
immediately against the accessories
if when they shal be outlawed with-
drawal, or suspected, then shall
enquire if any finding such a fu-
gitive hath bin accomplices in
the verdict he shall enroll, and then
enquyre of the landes and goodes
of the fugityfe. And if they appere be
fore the outlawrie, they shall be repie-
vable. And if a felony were don out
of the house the coroner shal enquire
who founde the bodye fyrste, and he
shalbe taken and set go vnder sure-
tie. And that no Jurour be remo-
ued by the liege of any party. Neither
shall any Coroner take any thynge
by himself nor by other, nor suffre to
be taken by his clerke, for doing his
office. And if it be founde that any
is slayne by misadventure, then shall
it be enquyred what misadventure,
and if it be founde that he fell from a

Wyttnes shall be enquired for what thing
ges wyves haue longe there, and
howe many they be dowghty, and so is
the Crowne of nature. And if one of
them be founde faultye, he shall be iudged the
same payne, death, but the Hippe and
thatche, yonge is that with one chyrche, and
two chyrches, and so forthe, there
ye Iudge ye coyoners ought to deuyde
the possessions of felonnes made by pa
trayture, preferred the Wyfe, the
whych shall be in possession in al
his life. And such confession he shall
cause to be enrolled. And when any
person shall be taken, he shall as
Coroner, shall haue knowledge there
of the chyrl, sende for the Bayliffe of
the fyfte, that he shall cause to come
before you, by a certayne daye, the
neyghbours, and fellowes of the vyll
to whom shall aduertyse to the Coro
ners and to their preest, shall perfourme
the confession of the felonye. And if

the fugitive pray to abiure the realm
the Coroner shall do that the vshich
to his office belongeth
Also he shall enquire of rapes, and
all the circumstaunces, the abusers
whereof with all other concealers of rob
beries felonyes, and such like, he shall
cause to be entred in his rolle.
Also they shall enquire of treasure
foryden of wrecke of the sea and of
Sturgions, and of whales taken,
and who were the takers, whose ma
nesshey shall enrolle, and let the co
mmunaltie. And such thinges as
shall appeare to be found, shall
safely kepe to the kinges vse and the
Shirriffes and Bayliffes shalbe at
their attendaunce vpon them, & their
commaundementes.
It is ordeyned that throughout
all the counties of England there be
chosen sufficyent Coroners, of the
most sage and lawful knights that

mitted vnto the same officers vnder
scribed in writyng shall arraygne, and
yeelde vp the colonel as well
of appeale as of thynges to the same
office belongyng. And that no
officer demaunde nor take any thynge
for doyng his office vpon peyne of
a greuous forfayture to the kyng
his highnes. Capitulo vii. But nowe by the
statute made Anno .xxv. H. viii. Capitulo
colonel shall haue .iii.s. iiii.d. of the
goodes of the murderer, and if the
murderer be conuicted vpon the day time
and he vnlawfully escape the colonel
forfeyteth .vi.s. viii.d. for the escape v
pon the coronell.

Also it appeareth by an estatute
made in the .xxiii. yere of Edward the
fyrste whiche is called the statute of
Exeter, vnder what order inquysi
cion shall be made of the deffaultes of
coloners (be they alyue or deade)
whereby ye shall se the charge that shall

be

be gyuen to the enquestes that shalbe
charged to enquire of Coroners, in
which charge it appeareth further,
what a Coroner ought to do by his
office, whiche charge here ensueth.

¶ The fourme of the charge to en-
quire of the defautes of Coro-
ners according to the sta-
tute of Exeter.

FIrst they shal enquire if the
Coroner go in proper person
when he ought to do his office or not where-
by it appeareth that he cannot make
a deputie.

ii. Also if he haue sent any other to do
his office what he was, how often,
and about what aduentures.

iii. And if he came at euery time of
his owne good wyl without delay, or
that he or his clarke haue taken any
thing for the more spedy executing of
their office.

vii. Also if the Coroner take any thyng of any persone for to rake a falle inquiste for to delyuere the right of anye. or to praise the gooddes for lesse then they be worth.

viii. Also if he enter any thyng in hys rolles other wolle then it was gyuen by the inquest and what thyng he, or his clerke toke therfore, and how often & for what thynge he or his clerk toke suche thyng.

viii. Also yf he or his clerke take of ye

goodes

goodes that were taken and
fled them at lesse then they
and they refuse
iii. Also if the pties be not assessed
by the enquestes
iiii. Also yf the townshyp where fall shyr
charged and of what thyng
v. Also if any appeales were false
enrolled or vnbeyled out of the rol
les after that they were entred
vi. Also if he refuse to take any plaint
of appeale for pouerte hate or other
lyke cause, & what he take for the de
raynyng, and of labour and how much
vii. Also yf he or his clarke haue ta
ken ought for the goods of the party
that is deade vpon whose bodye he
take vie ye what thyng it was, and
how often he so dyd.
viii. Also if he haue entred all the atts
chementes belongyng to his office
in due maner or if he haue made any
attachement for to greue any person

of fayhaue of his owne and enquyre by
his oth wolles.
rb. Also yf he haue not done his office
at all tymes at his owne costes both
out takinge ought therfore.
ptit. Also yf he haue not sealed ought
at any courte to procure to be mar-
deeds to the greuaunce of any perso
and yf he so did then to enquire how
often, and for what reward, and for
whom, and in what case he so did
ptit. Also if all the attachements han
ging, and lawfully retrieued be pur-
sued by him as he ought to do for the
king or for the partye, or cause to be
pursued.
ptit. Also if the goods of such as haue
fled the townes wher they dwel for
suspection of felony, were attached by
him, and praised by enquest, and en-
roled according thereunto & deliuered
vnto the townes (wher those goods
were founden) to kepe safelye into

the

the comyng of the Justicers to Eyre
ne. Also yf he suffer appealles or o-
ther paintes to him made to be con-
ueyed away inbeseled or raysed out
of the rolles, and if he take ought for
such falshed of whom he woe muche
and how many tymes.

xx. Item if there were any treasoure
founde in the tyme of the same Coro-
ner in what place, and what maner
of treasoure and how much, and in
whose handes it resteth, & by whose
delyueraunce.

¶ This is the hole charge that Jus-
tycers in Eyre must gyue, for to en-
quyre of Coroners and of their de-
faultes. Furthermore Justyces in
Eyre may impanell other inquestes
four and tweinty persons of the bodi
of the county to inquire of the seueral
ment of the first inquestes which did
enquyre of the defaults of Coroners

¶ When Coroners haue any know

ledge from the kynges bayliffes, or
other honest men of the countrey fyt
to go vnto such as be slaine or sodai
ly dede or wounded or vnto the keepers of
houses or to anye place where treā
soure is sayd be founde they muste
go forthwith and commaunde foure
fyue or fire of the nerest towne shippes
that they be afore them at such a day
and place and when they shall come
thē the coroner must make enquyre
therof in fourme folowyng.

¶ Fyrste if the person were slain in
house or in the fyeld in bed or at the
tauerne &c. and who be guilty ther of
ther of the dede or cōsent &c. And any
be in the courte wherych doer these so
that they cā spede or haue any discre
cion and they that be found gylty by
inquest shalbe taken and deliuered
to the bayliffe. And suche as were
present and be not gylty shalbe atta-
ched vntyl the comming of the Iusti-

ces and their names shalbe wrytten
in the Coroners rolle.

¶ If any be sodaynlye slayne in fyl-
des or in the woodes it is fyt to be
sene whether he were slayne ther or
not, and yf he were not slayne ther
then as nere as they can they shal fo-
lowe the steppes of him that brought
the body thyther with horse or carte
yf it be possyble in case the murderer
be knowen, and yf he be a straunger
then shall they enquyre where he was
lodged the nyghte before. And to-
lleying such as shalbe founden guylty
the Coroner shall go to their mane-
ses and inquire what goo-
es and landes they haue and howe
muche they be worth by the yere.
But by the statute of kyng. E. the
iii. it is ordeyned that the landes and
goodes of such persons shall not be
sealed but yf they be attaynted, or o-
therwyse conuict by course of the lawe
of

And

And these thynges thus beynge enquyred the bodyes shalbe buryed in
contynente.

Moreouer they muste enquyre of
such as be depoyned of deade folkes
and whether they were slayne or
strangled or slayne and they must en
quire who were the fynders that they
may be attached. Also they must vie
we the length bredth and depnes of
al woundes and must enquyre with
what weapons and in what place of
the body. And if the wound be mor
tall the offendour shall be kept vntyl
it be knowen whether the partie may
be hole, and yf the wounde be great
then he shalbe let go vnder fower, or
syre pledges and if it be but lyte the
two pledges shall suffice. Also they
must enquyre of horse carters, and o
ther thinges whereby any wer slaine
that they may be preased and deliy
uered to iustyce.

¶ Also they shall enquire of wrecke of the see, and if any laye hand vpon it, he shalbe attached by good pledges, and the wrecke shall be preserued and deliuered vnto the lord vpon his pes. Further more hue and cry shalbe leuied vpon all manslaughters, burglaries, or when any is slaine by ill pase for death it may be, and all shall followe such hue and cry; and if they be able & they do not, shall be attached to appere before the iustices.

[illegible] if any person flye into the Citie or other enclosed place for murder, felony or such like offence, the Coloners vpon knowledge thereof shall come thither, and take his confession, and if he will abide the triall of the coroner shall receyue his submission, wherby he shall saue his goodes.

The

[illegible] the forme of the
[illegible] of the [illegible]
[illegible] be able attached by good pleg-
[illegible] I [illegible] you that I [illegible]
[illegible] that I [illegible] a theefe of one
[illegible] by [illegible] other [illegible] the thinges [illegible] or a
man [illegible] of an [illegible] or [illegible] a felon
of our [illegible] gone [illegible] being there
the [illegible], and [illegible] as I haue
[illegible] many euyl deedes and
felonies in this his realme I here a-
sure his loue for euer, and shal make
as much haste as I can to the hauen
of .D. which you haue assigned me, &
I shall not depart out of the high way
and if I do I charge that I be taken as
a theefe and felon of the king, and fur-
ther I shal diligently seke my passage
at the place aboue limitted, & I shal
not abyde there any longer, then is
conuenient or I find my passage and
if I can haue no passage in so
much space I shal go euery day vnto
the

the sea vpon my knees, & assaye if I
can get olive. And if I can not so do
within forty dayes continuing, I shal
yelde my selfe againe to the churche
as the kinges traytor and felon. So
helpe me God and holydome.

Nevertheles it is enacted that who so
ever person shall abiure, hereafter
so long as the plage shal endure, and
dwel within any of the diocesses of
which the said bishop hath the
ordinarie power, without the
licence of the bishop of the
same diocesse, or his vicar
generall, or in his absence
out of the same diocesse,
by the space of xl. dayes
after the day of his
abiuration, he is
adiudged a
during

priuyge they lyues, and shalbe bur-
ned in the right hande with this let-
ter T. And if such a person aforesayd
be taken out of sayntuary, he shalbe
ordered in like maner as one that had
abiured the realme before the sayde
office. And the same person that so
taken out of the church shall make his abi-
uration, and shall take his passage
from the same article & daye and time
as the Coroner shall appointe, and
shall be marked vpon the brawne of his
shoulder or right hande with a hot
yron, and shall be conueyed to
the sayntuary thereunto belo-
ged by the maiors, bayliffes, and con-
stables, or such officers as they haue
bene wont heretofore had abiured
the realme. And if any felon refuse to
abiure before the Coroner he shalbe
taken out of the sayntuary, and shall
lose the priuiledge therof. And is of
the statute of an. primo. cap. iii.

¶ And it is ordeyned that none shal be chosē Coroner yf he hath not land sufficient within ỳ same countie for to answere al persons An.iiii.E.iii. Capitulo.viii.

¶ And it is further ordeyned ỳ all Coroners shalbe chosen in the ful cōtie by the commons of the sayd countie of the moste conuiente and able persons an.xviii.E.iii.ca vi.

¶ The Coroner shall enquire vpon the viewe of the body yf he were slai by day yf the murderer be taken And if the murderer escape the townesshippe to be amerced, and the Coroner shall enquire of ỳ escape when he inquireth of the death vppon the viewe of the body and the Coroner shall haue for his fee. xiii.s.iiii. d. of the goodes, of the murderer and if he haue no goodes then to haue his fee of such amercyamente as shalbe set vpon the townshyp for the escape.

And after the murder found the coroner shall certifye his inquisicion afore the Justicers of the next generall Gayle delyuery in the countye. And yf the coroner be remisse and make his inquisicion vpon the viewe of ỳ body and certyfie not accordinge as is aforesaide: then the coroner for euery Default to forfayt one.c. ſ. anno iii. Henrici. vii. capitulo primo.

¶ It is ordeined that vpon enquest to the coroners to come and inquire of any persone drowned or slaine by misaduenture the coroner shall diligentlye do his office wythout any thynge taking therfore vpon peyne of euery coroner that wyll not endeuer hym to do hys office or ỳ taketh any thing for doing his office vpon any person dead by mysaduentur. ct. ſ. Anno .i. henrici viii. capitulo vii.

¶ In case of mansdeath within the vierge, it shal be commaunded to the

coroner

coroner of the countrey that he ma-
gett ioyned with the coroner of the ſpiri-
gesshould not make the enquyre and
inrolle it. And when nobody can not be
determined before the ſheriff by
ſaufe the felonie is not attached, or
for other like cauſe, ſhall ſemble at
the comon lawe, then the eraſtes
villagaries and paſtymenters ther
of bemade before by the coroner of
the countrey, as of the other felonies
doone but of the charge Articles vpon
the chaters capitulo ſecundo,
offeſo nolumus &c. We will not other
officers ſhall make enquiry for hys officer
and yet ſhould he ſhall reſtore twyſe ſo
much ſo it was taken from him. But
the ſtatute of Weſtminſter the ſecond
comaundeth inquiry of every murder.
Alſo it is enacted by the Juſtices
of Weſtminſter ſecundi, that the
coroner hath no power to enquire of
maimes deathes, but onely vpon

...ye of the bodye and yf he do it is
...fusyon and treason. And yf ony Co-
...ner enquire vpon the viewe of the
...body and after another Coroner wil
...come and enquire thereof againe this
...se can be enquired of but the fyrst
...enquest only be receyued.

...If ony be taken & remayne before the
...Coroner he shal not afterward be ad
...mitted to saye that he did commit y
...atte by dures of imprysonment, for
...the record of the Coroner shall estop
...to him plede the contrary.

...If ony wil sue appeale of robery
...or felonye he must come into the fyr
...countye within the yere and the day
...after the felony done and must fynde
...two pledges to prosecute his suyte and
...the Coroner shal enter his appeale in
...diat[illegible] and his name and the names of the
...pledges, and then shall he be commit
...ted to the baylyffes of the place where
...he that slewe the bodye of the next
...countye

county and yf he recounte at the second counte / Non est inuentus / the shal the appeale be called from county to countye until he be outlawed and yf the playntyfe make defaut at any county then shal the erigente cease until the Eyre of the Justicers in the same county and the playntyfe shall leese his actyon after apparaunce for euer wherby it apereth that after a yeare & day a man shall not haue appeale of felonye and to this poynt agreeth Bracton in his fyrst boke.

¶ The Coroner must recorde his diewe, abiuracion appeales, accusacions of theues made before him and so must he do of al thynges that belonge vnto his office to be done & the non suites of plaintiffes in appealles he muste recorde wyth all thynges done in the county wherto belonge vnto his office, Also ye shal note that appeales shalbe made in the counte

of any lord that hath ye fraūchise of Infangthef in presence of ye coroners &c.
¶ A presentment was sent into the kynges bench by a Coroners comprising how a certayn person taken for felonye was conueyed into the shyre by certayne Freers &c. And by cause the coroner hadde no power to take such an indyctement a writ was dyrected to the same Coroner to certyfi whether he had any other presentment or not. Anno .xvii. Edwardi. iii. Libro assisarum.
¶ An aduenture of the death of a mā was presēted before Justices in eyre and bycause the same was not founden in the Coroners rolle, the Coroner was awarded to prison. The coroners fee in eyre is to haue a peny of euery venue where they shal come.
¶ Note that a presentment made before Justyces in eyres of a theruge; which is chiefery of that is entred

in the Coroners rolle, shalbe taken as voide, and the coroners rolle shall be taken for the recorde.

¶ The Coroner shall enquyre of the death of me̅ slaine, or drowned in the armes or creekes of the sea wher the land may be seene of eyther side but nowe by the statute made. Anno. viii Richardi secundi capitu. v. and confyrmed An. no. ii. Henrici. iiii. Capitulo vi, the admiral hath no iurisdictiō but onely vpon the hyghe sea wherby it appeareth that the coroner hath iurisdyction ther to enquyre of mannes death.

¶ A coroner may take an appeale of felonye made by an approvour in any county of England and so may he do of an abiuracion in case that he confesse the felonye to be don in an other county. And the coroner may adiue him aswel vpon that as yf the felony had ben don within the same

county But he can not take any ap
peall of robbery or felonye onlesse
it be within the same countye wher
the robbery or felony was commit-
ded and wher he is Coroner for by ȳ
confessiō or appechment he is attain
ted and so is he not in the other cause
¶ One that becōmeth a prouour be
for Justyceys shall not haue a Coro-
ner except he wyll confesse the felony
before them and pray a Coroner. T.
rrvi, Edwardi iii.
¶ And if one be come approuour and
appeal other of diuers felonyes don
in other countyes, in thys case the
Coroner cā not make prose therupō
in to any forreyne county but he shall
enter it into his role and shall send ȳ
same presentment before the Justy-
ceys of gayle deliuery and the Justi
ceys of gayle deliuery shal a warde
procesle to the Shyryffe of the for-
reyne countye for to take him that is

so

so appealed.

¶ Thus ye must vnderstande that yf any Shyryffes Baylyffes Escheatours constables or Coroners take ought for doyng theyr offyces other wyse then to them is ymitted by the statutes before declared that then such taking is extorcion which is punisshable at the kyng̃ pleasure as appeareth by the statutes before wryte and by the statute made an. i. H. viii. Capi. xi, wherby it appeareth that Shyryffs and theyr ministers bailiffes & their mynysters, Escheatours and theyr mynisters, Coroners and theyr mynysters, ar bound to serue al precept̃ to them directed from the Justicers of peace wythout takynge ought of any partye And if a precept be dyrected to the Shyryffe, or any other the kynges officer to compell any to appeare before the Justyceers to find suerty of ỹ peace, if the party against

whome any such precepte is dyrec-
ted) be redy to come before the sayde
Justyces to finde suerty of the peace
they shall take nothing of hym. And
in lyke maner must they serue all pro
fesses that come to thē dyrected out
of the kings benche the comon place
the Eschequer or the Chauncery
without taking ought therfore
but only the fees expressed in
the Estatutes before wryt
ten. And if they take
any other fees it is
playne extor
cion.

¶ Lykwyse declaracion con-
cernyng the extorcions
of ordinaries per-
sons Vicares and
Curates

¶ Concer

CONCERNYNGE ordinaryes, ye shall vnderstand that it is ordeined by an estatut made in ỹ on ꝛ twentye yere of kyng Henry the eyght that no ordynarye shall take any thyng for the probate of the testament of such a person whose goodes amount not aboue the summe of a hundreth shyllynges except to the Scribe .vi.d. only. And of goodes aboue the value of a hundreth shyllynges vnto fortye pounde iii.s.vi.d. And the Scrybe to haue twelue pens of the same summe, and for ỹ probate of a testament of goods aboue the value of forty pound fyue shillynges wherof the scrybe to haue two shyllynges and fyue pence or for euery line being ten inches in length one peny. any such lyke summes for letters of administracion where such persons dye intestate ꝛ the testament

to be regestred and delyuered to the partye without delaye and lettres of administracion to be graunted to the wyfe or next of the blode of the partye deceassed or to both And for the probat of a testament or letter of administracyon of good vnder the summe of a hundreth shyllinges, the Ordinary shal take nothing. Moreouer it is the office of the ordinary to deface the seale of ỳ testatour (where with the testamẽt was sealed) and to delyuer it agayne to the partye. And yf the ordynary take any more then afore is ymitted he shall forfayte so muche as he taketh and ten pounds more beſydes that wherof the moytie shalbe to the party greued

¶ If the ordynarye cyte anye person to appere in a spirituall courte to depose in any matter ther as a wrytnes that is exception and wronge to the partye.

¶ If any Ordynary Person or Vicar take any mortuary after the deth of any person which had not in goodꝭ to the value of ten marke that is extorcion, and lyke wyse it is wher they take a mortuary in such places wher it hath not bene accustomed to paye mortuaries. And euen so it is wher a Person or Vicar taketh more then iii.s. and iiii.d. in the name of a mortuarye yf the goodꝭ amounte aboue ten ℳarkes and vnder the value of xxx.li. for that is extorcion. Also yf he take more then vi.s. viii.d. for a mortuary wher the goodꝭ be aboue the value of xx.li. and vnder the summe of forty pound the dettes payed that is extorcyon.

¶ And if they take of theym whose goodꝭ amounte to xl.li. aboue the dettes payed more then x. shyllinges for a mortuary that is extorcyon.

¶ And if he take any mortuarye for a woman

a woman maried or one that is with
in age, or for a man that kepethe no
house it is extorcion.

And yf any mortuari be taken in
wales it is extorcio, except Bishop
pes that shal take mortuaries therof
prestes, & curates and the archdeco
of Chester shall take mortuaryes of
prestes within the county of chester.

And whosoeuer taketh for a mor-
tuary more the he ought shal forfayt
asmuche in value as he taketh, and
forty shillinges besides that to
the partye greued. Anno
henri octaui cap vi.
and this haue I
thought suffi
cient to de
clare
vnto you concerning the Extortios
of ordynaryes Persons,
Vicars and curates,
FINIS

C Imprynted
at London in Fletestrete
nere to Saynte Dun
stones Churche
by Thomas
Marche